



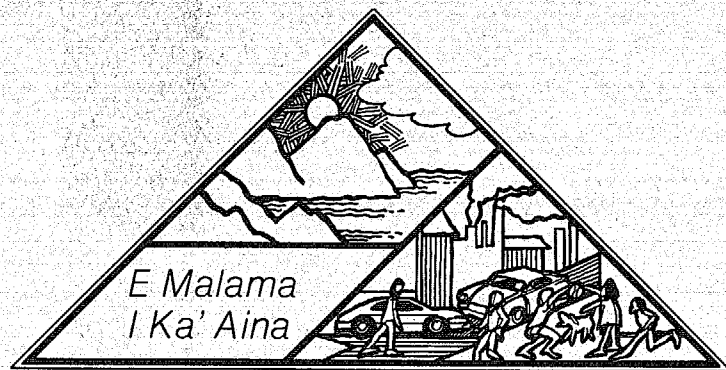
# A Plan For Hawaii's Environment

A report of the  
Temporary Commission on  
Statewide Environmental Planning  
November 6, 1973

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1973

Temporary Commission on Environmental Planning  
Hawaii

# **A PLAN FOR HAWAII'S ENVIRONMENT**



**A REPORT OF THE  
Temporary Commission on  
State-Wide Environmental Planning**

**November 6, 1973**

02544

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# TEMPORARY COMMISSION ON STATEWIDE ENVIRONMENTAL PLANNING

550 Halekauwila Street, Third Floor, Honolulu, Hawaii 96813

November 6, 1973

The Honorable John A. Burns,  
Governor of Hawaii, and the  
Hawaii State Legislature, and  
The Environmental Council  
State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Gentlemen:

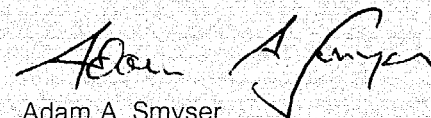
Transmitted herewith for your consideration is your Temporary Commission's report on A PLAN FOR HAWAII'S ENVIRONMENT in response to Senate Concurrent Resolution 14, House Draft #1, which was passed by the 1973 Legislature.

The report includes those guidelines which the Commission believes should be incorporated into a Hawaii Environmental Policy Act to be adopted into law by the Legislature. Hawaii has no environmental policy act at the present time; the general public feels one is needed and so expressed itself at a number of meetings held during the latter part of August and all of September, 1973.

The public has expressed concern over a number of issues during the series of meetings. Thus, we expect that from this report will flow consideration of a series of issues during the next three, five, or more years for the decision makers of Hawaii. A public discussion of these issues, some of which are summarized in this report, should lead to courses of action which support the basic environmental policy act recommended herein.

We believe the recommendations contained in this report can be the framework for more detailed actions in the near future; but at this point in our history, we believe a foundation is necessary on which to build future environmental programs. To this end we commend the report for your consideration so as to provide the basis for environmental decisions that support a better quality of life for the present and future generations of Hawaii's citizens. We need to evolve a conservation ethic to treat our environment in the traditional Hawaiian "spirit of malama" for mutually beneficial results.

Sincere aloha,



Adam A. Smyser  
Chairman



Mr. A.A. Smyser, Chairman  
Temporary Commission on Environmental Planning  
Office of Environmental Quality Control  
550 Halekauwila Street, Room 301  
Honolulu, Hawaii 96813

18 Hilliard Street  
Cambridge, Mass. 02138  
November 11, 1973

Dear Mr. Smyser:

I appreciate your invitation to comment on the final draft of the Commission's Report.

Generally, it is a very good report, much improved over the draft submitted to public hearings during September. It responds well to the central concern voiced in those public hearings: viz., that the findings and recommendations were too bland and too diffuse. In this draft, goals and policies are more succinctly stated; and the concept—and the warning—of "environmental overload" give the citizens and the Legislature of Hawaii something very solid to take hold of.

I would hope that the Legislature moves with dispatch to determine whether, where, and in what ways Hawaii has approached the limits of its "carrying capacity." In doing so, and in adopting a general framework of environmental values to guide it, the State will again be pioneering in a direction other States most certainly will have to follow.

The report correctly focusses on the Legislature as the body to begin the long and difficult process of establishing criteria for determining environmental carrying capacity and fixing the point of overload. The "state of the art" is still in its infancy; and even the more sophisticated measures have to be sifted through the screen of open discussion of what makes sense to the general public. Every one of our States is searching for those standards and the courage to make those judgments. Hawaii could do us all a favor by accepting the mission and accelerating the search.

As Hawaii does so, I would strongly urge a clearer statement on two points:

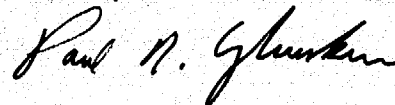
First, the Commission and the Legislature should strongly affirm basic human and constitutional rights. Hawaii's proper concern for protecting and nourishing its environment should not result in a failure to protect and nourish human rights and potential. I would recommend saying just that.

Second, citizen standing to sue should be explicitly recognized and provided for. The final draft of the Report seems to me somewhat ambivalent on this score. I can understand why, because of the concern many people have that the doors will be too easily opened to frivolous and harassing actions. In expressing that concern, some statement should be made about the state of the art: what reasons there are to give or not to give a broad basis for standing to sue, drawn from emerging experience. What is happening in Michigan and the handful of other States which have given the right, seems to suggest that the fears or frivolous litigation and long delays may be overdrawn. (In Michigan, judges have deemed only two of approximately seventy-five actions dismissable on those grounds, and case settlements have averaged about 5-6 months.) Environmental actions can apparently be handled like common law nuisance cases, with judges given discretion to say what is frivolous and what is not. The alternative is to specify in law—and the problem in that is twofold: first, to clarify without crippling and confusing; and second, to clarify without placing the impecunious citizen at a disadvantage against a corporate entity with more resources and skill to fight a case on procedural grounds.

If the Temporary Commission does not want to recommend the broader basis for citizen suits, it should still charge the Legislature with responsibility for studying the alternatives and the emerging experience of Michigan and other States.

Again, may I express my respect and appreciation for what you and your colleagues have done, and my fervent hope that the State of Hawaii will move promptly in the directions you are pointing. Your Commission has performed well.

Sincerely,



Paul N. Ylvisaker

PNY:mc

# INTRODUCTION

Some people say Hawaii's environment is ruined already.

Many mistakes have been made which could have been avoided. Much that was precious to us has been lost.

Yet, Hawaii in 1973 remains one of the idyllic places of the world... still steaming and volcanic as it continues to grow at its southern point and blessed at its older points with palis, beaches, surf, plains and vistas of extraordinary beauty and further blessed by a benign climate.

Though some people are reluctant to admit it, or fail to see it, Hawaii also has many places where man's works have added to the natural beauty that is here.

Irrigation, planting and sensitive construction design and placement can be friends of beauty, not its foes.

Hawaii's people are united in wanting to keep these islands beautiful and also in wanting to save that trait we call the Aloha Spirit which seems to spring in part from a congenial environment.

This your Temporary Commission knows for a certainty after many meetings and discussions statewide.

We know that people want to see the environment "farmed" rather than "mined." The farmer treats his lands so that they will be as good or better 100 or 200 years from now than they are today. The miner uses up resources and exhausts them without replacement. We must not let this happen to Hawaii's exceptionally attractive environment.

People from the Chamber of Commerce to Save Our Surf also have told either the Governor's Environmental Council or this Temporary Commission that government must take a leading role in meeting these concerns, that many of the necessary decisions lie beyond the scope of the private sector.

But personal concerns naturally come first, and few people are willing to sacrifice their immediate personal economic well-being and security for environmental gains that may be long-term and seem remote. The people of Molokai, for example, face heavy unemployment when their pineapple plantation closes and urgently need new industry. This is their Number One concern.

We also know that legal tools for controlling the environment will not be well accepted if they are seen as weapons for harassment or devices to serve an elite group at the expense of many. Yet more tools are needed than we have now.

The Temporary Commission recommends that Hawaii establish a goal of seeking the balances that will achieve both a viable economy and an environment even more attractive than the one we enjoy now.

In this report we outline our recommendations.

These include:

1. Enact a Hawaii Environmental Policy Act to state Hawaii's intention to follow an environmental ethic. The proposed act enumerates goals and policies to guide decision-makers and requires government agencies to implement the policies.
2. Ask the Federal government to cooperate in implementing the State's goals and policies.
3. Require the Environmental Council to monitor and report on the progress in implementing the proposed act and what additional steps need to be taken.
4. Request the Ad Hoc Commission on Operations, Revenues and Expenditures to consider ways in which their recommendations can help implement the goals and policies of the proposed act.
5. Create a state planning council to coordinate State and county planning, assist in the development of a State general plan, and further implement the policies of the proposed act.
6. Require environmental assessments before allowing to proceed those public or private actions which would significantly affect the quality of the environment.
7. Revise State planning legislation to: (a) provide for adoption of a State general plan by a resolution of the Legislature, (b) require up-dating every five years preceding the mandatory review of State land use boundaries, and (c) increase coordination and citizen participation in the planning process.
8. Use tax and land use controls to help implement this report. Enact a legislative program which will discourage land speculation.
9. Call for the development of criteria by which the carrying capacity of Hawaii's environment can be determined. This would include data on population, pollution, natural resources, community environments, life styles, and the impact for new technology.
10. Create a mechanism for dealing with and preventing conditions of Overload in areas of critical concern where the burden of proof would be on the proponent of growth to show that the action would be of overriding public interest.
11. The Temporary Commission further believes it may be desirable—even if not absolutely necessary—to make a stronger

expression of environmental concern in the State Constitution. To that end we suggest the addition of a new Section 6 to the Public Health and Welfare Article VIII of the Constitution which states:

"The quality of the environment is as important to the welfare of the people of Hawaii as is the economy of the State. The determination of an optimum balance between economic development and environmental quality deserves the most thoughtful consideration, and the maintenance of the optimum quality of the environment deserves the most intensive care."

This will give stronger status to language already contained in Section 341-1 of the Revised Laws of Hawaii.

The Temporary Commission discussed extensively the question of expanded rights for citizens to sue, compelling public officials to carry out environmental policies, laws, rules and regulations. The Tem-

porary Commission recognizes that the Legislature currently has before it a bill which addresses this subject. A majority of members supported the view that any such legislation should be limited to specific, implementing measures, not broad policy issues. A minority believes that broad legislation for citizen standing to sue should have been included in the Commission's recommendations.

This commission also has compiled a list of key issues it believes decision-makers must face regarding the environment.

In addition, in the appendix of this report we list more than 200 implementation strategies that ought to be considered after an Environmental Policy Act is law. The list is illustrative only and far from exhaustive. It could easily be several times 200. Some of the strategies conflict wholly or partially. Most represent recommendations by various local or national organizations and are so identified.

A review of these strategies should stimulate a needed discussion of the alternatives that lie before us.



# **PROPOSED ENVIRONMENTAL POLICIES**

- **Basic Assumptions for Hawaii's Environment**
- **Danger of Overload**
- **Environmental Goals**
- **Environmental Policies**



# PROPOSED ENVIRONMENTAL POLICIES

In order to establish a foundation for environmental decisions in the future, the Temporary Commission recommends that the following assumptions, goals, and policies be adopted by the Legislature.

## Basic Assumptions for Hawaii's Environment

For Hawaii to formulate goals and policies to protect, preserve, and enhance the quality of its environment, there must be a clear statement of assumptions about that environment. The uppermost assumption about Hawaii's environment is that Hawaii must follow a conservation ethic.

It is assumed that Hawaii's physical environment is made up of the natural environment and the man-made environment. The natural environment is composed of the islands, the ocean around them, the air above them, the vegetation on the land and in the ocean, and the animals, birds, and fishes on the land and in the ocean. These are limited in area, numbers, and quantities. This was the self-maintained natural environment of Hawaii for thousands of years.

Then man appeared in the Hawaiian Islands. Man is an animal, too; but he is a different animal. He can organize his efforts; he can build and create. Men organize themselves into societies to maximize the benefits to that society and to its individual members. They strive to improve their quality of life. As the society of man is organized, it begins to build its structures for housing, commerce, transportation, and other purposes. It creates a man-made environment. And it is this man-made environment that uses and modifies the natural environment. And Hawaii has a limited natural environment. Already it is necessary to import from other natural environments beyond Hawaii's shores.

The environmental assumptions for Hawaii against which we can evaluate future actions and programs are these:

1. Hawaii's natural environment is limited in scale and quantity. In many aspects it is unique and fragile.
2. Hawaii's man-made environment consists of social institutions and physical structures which are dependent on the natural environment.
3. The man-made environment frequently consumes natural resources and modifies the natural environment but man has the capacity to enhance the physical environment so as to reduce the strain on the environmental balance.

4. Human beings organize themselves into societies which strive to better their quality of life.
5. Higher standards of living, currently equated with higher rates of consumption, as practiced in developed industrial nations, frequently consume more natural resources and more significantly modify our natural environment.
6. Man is an integral part of the total physical environment and not separate from it.
7. The man-made environment cannot continue to take indefinitely from the natural environment beyond the assimilative capacity of the natural environment to regenerate itself. Man must seek to attain a balance with the environment so as to optimize both the quality of his life and the quality of the environment.

These are the basic assumptions of the environment which the people of Hawaii must recognize as they establish environmental goals and policies.

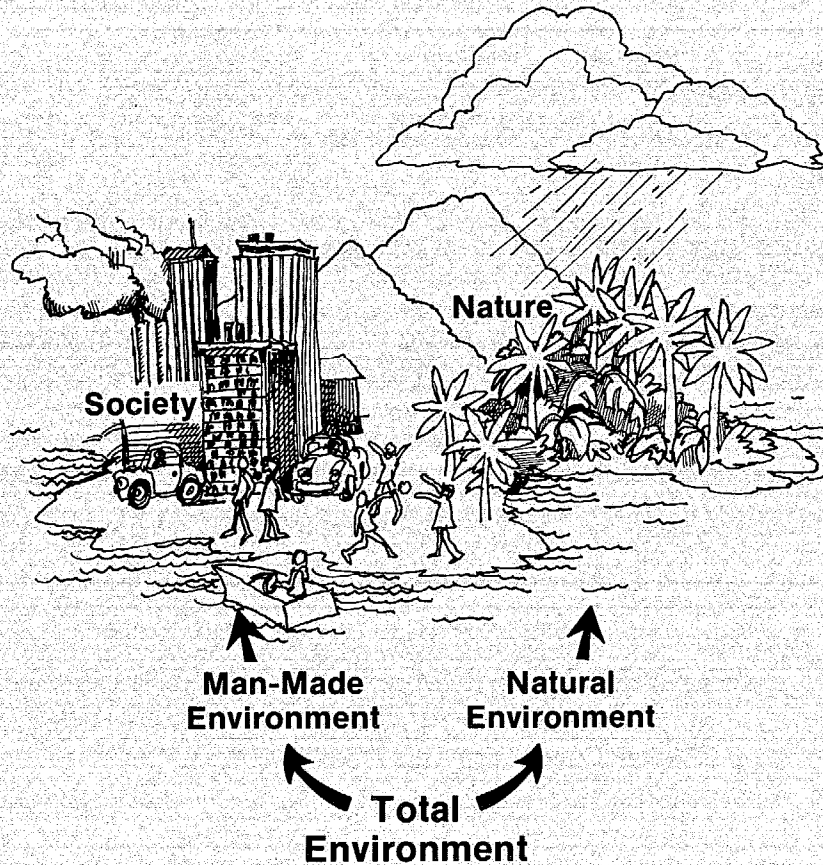
We recognize that many important government decisions must deal with the interrelationships between man and his physical environment. This Commission, in viewing its assignment from the Legislature, focused its recommendations on areas of interaction between man and his total physical environment. This State Environmental Policy Statement is intended to outline goals and policies that should guide the judgments of decision-makers in all levels of government and private enterprise.

We further assume:

- That there is such a thing as an Aloha Spirit and that it is identified with empathy, tolerance, graciousness, friendliness, understanding, giving. It is in part a way of getting along.
- That the Aloha Spirit is fragile and can be shattered by population pressures and a highly competitive society.
- That the Aloha Spirit is worth preserving and that one way to do so is to master the pressures alienating us in our own land.
- That this spirit springs from the natural environment of these islands and the heritage of Hawaiian life styles. Our island geography, a benign climate, and beautiful vistas help create this spirit. Thus, we have an additional debt to our natural surroundings and a strong self-interest in protecting and enhancing what nature has given us.
- That the citizens of Hawaii want government to intercede to preserve a harmony between man and nature, and that government should use the tools available to it, both positive such as

incentives and negative such as restrictions and penalties, to achieve, to heighten this harmony.

- That where interests conflict, those of residents should take precedence over those of non-residents without denying fundamental human rights.



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## THE DANGER OF OVERLOAD

To fulfill its mandate, the Commission had to find a key which will lead to a balance between man and nature and resolve conflicts between the man-made and natural environments. These conflicts place society in the role of aggressor against nature as we seek to fulfill human desires.

The imbalance we see bears a close but not absolute relationship to population pressures. In Hawaii today, growth of population and increased levels of human desires have outpaced our capability to grow without environmental damage.

To put it another way, we are approaching, and in some cases have exceeded, the limits of the environment's ability to support human activities at present levels of technology. We have in these cases exceeded the carrying capacity of the environment. We have reached a condition of Overload. The result is a diminished quality of life and environment.

Statistics show us that Oahu's population of 257,696 in 1940 grew to 630,528 in 1970 and is predicted to range between 990,000 and 2,010,000 by the year 2000.

We see the motor vehicle census doubling about every 12 years, the annual count of tourists doubling every four years. We doubt that Oahu with crowded streets and 360,000 motor vehicles now can possibly accommodate 700,000 cars by 1985.

Several possible indicators of Overload are presented as graphs following page 9.

If then, as the Commission believes, the key is Overload, certain courses of action are clearly indicated.

### Population Growth

The Commission recognizes that the condition of Overload is not solely that of population density, but at least until consumption practices are moderated, and technology advances are made, Hawaii must pause, or slow down its growth both in temporary as well as in permanent population.

### Carrying Capacity

Hawaii must proceed quickly to measure the ability of our natural environment to cope with the impact of human society. We must determine which systems are most susceptible to overload, and at what level of human activity the overload occurs. Evidence is abundant that the capacity of either our natural environments or our man-made environment is already overloaded in many places.

We are not able to be so precise about overload as to justify our crying "halt" absolutely. Growth will and must continue, because it is not desirable or possible to halt it altogether. But it must be planned growth. We must, for example, plan for a healthy economy with a variety of employment opportunities which do not desecrate our environment.

### Critical Areas

Moderation of population overload and the measurement of en-

environmental carrying capacity must quickly be directed toward certain areas. These are the areas of critical concern. These are the places where current trends toward overload are most severe. Specific processes directed to those areas must be enacted. Among these critical areas are:

- Coastal Zone
- All of Oahu
- Agricultural lands
- Tourist facilities
- Energy consumption
- Unique natural and historic sites
- Social welfare costs

### Technology

The carrying capacity of our environment is not only a function of how many people we accommodate, but it is also directly related to consumption practices. Our consumption practices can be changed. The technology we use to gratify human desires and meet basic human needs can be improved. Some people claim that technology has brought about the imbalance between man and nature. The Commission believes that our engineers and scientists can develop and apply newer technology which can meet society's needs and desires, while

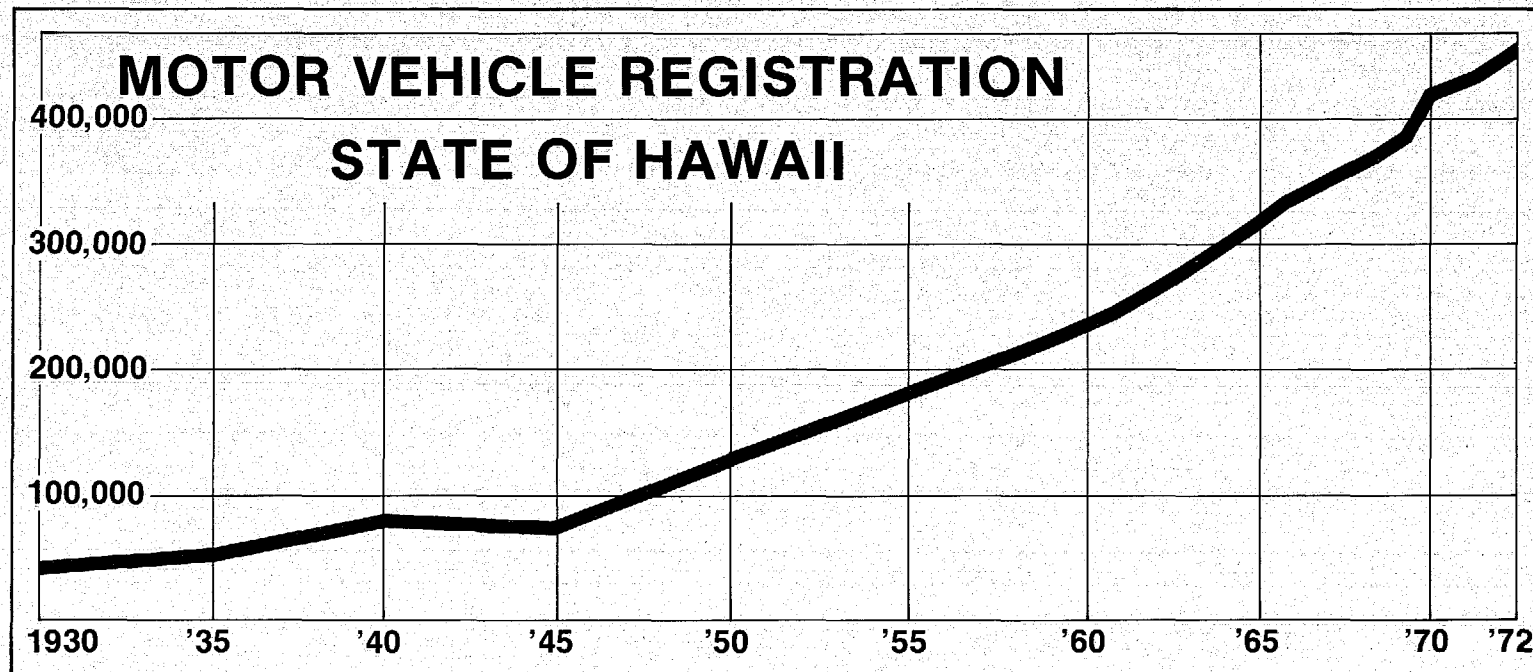
still protecting the natural environment. Any growth in population must be matched by growth of this new technology.

### Environmental Ethic

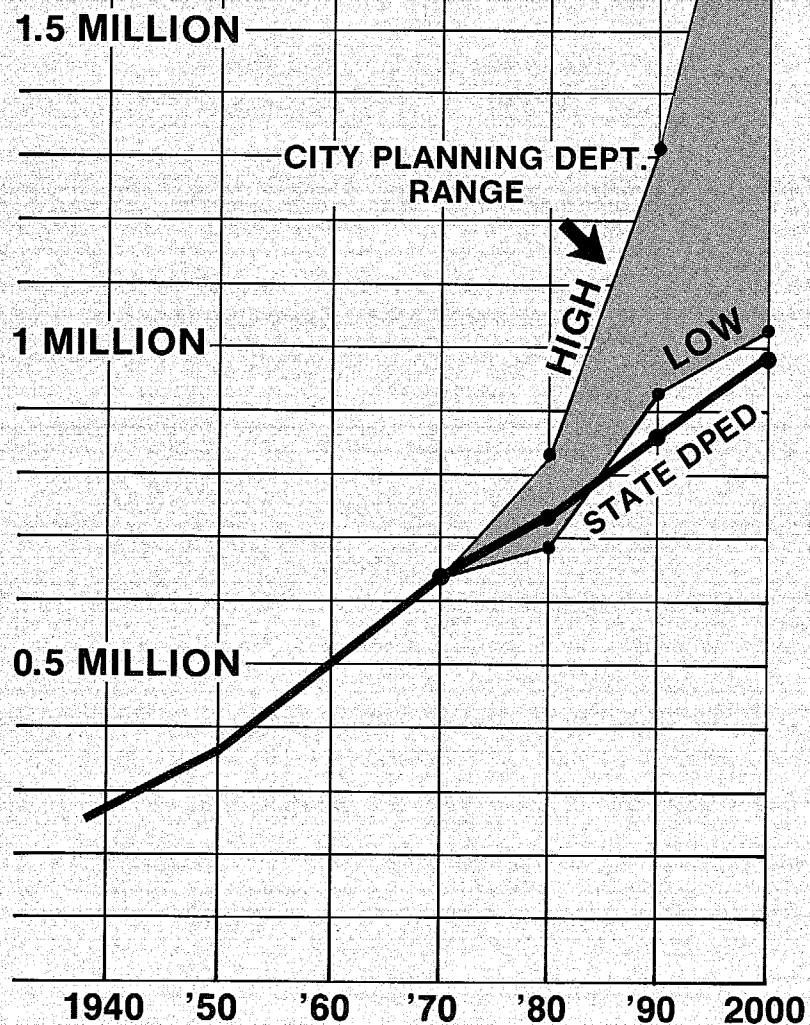
The status of overload is also a function of our collective ignorance. No intelligent society would deliberately set out to destroy its life-support. Yet, because we do not know all that we should, society is doing that very thing. Hawaii must learn what is needed so that there evolves in all our people a new ethic by which to live. This ethic is fundamental to our goal of balance with nature. It will be achieved by the conscious and unconscious recognition of the results of our consumption of natural resources and modifying the natural environment, and learning the actions which we must take to achieve harmony.

Moving forward from the basic assumptions and recognizing that the key to our environmental dilemma is "overload," the Commission recommends that the State adopt a series of goals, the achievement of which will prevent new overload conditions and correct existing ones. To reach these goals, the State should adopt and implement certain policies which govern societal actions.

The Commission recommends that these goals and policies be adopted through legislation at the earliest possible date.

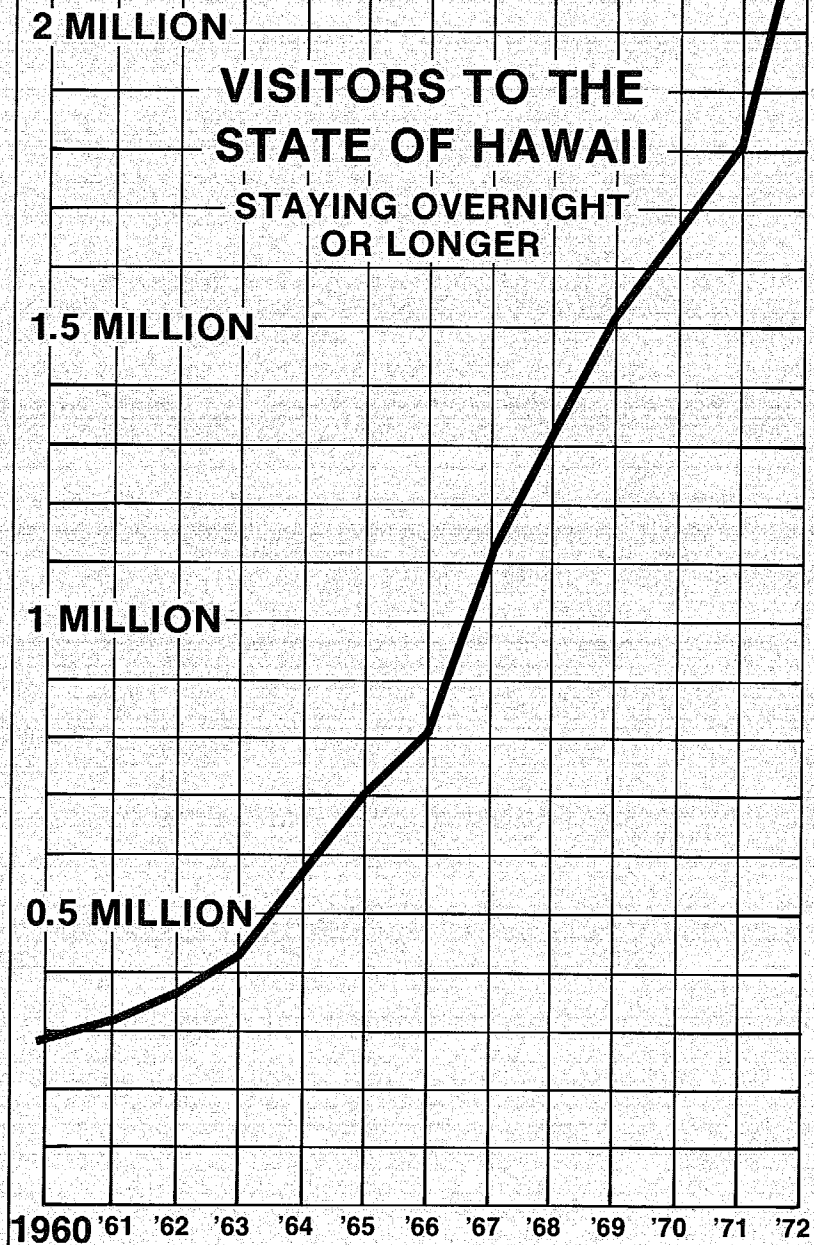


## POPULATION GROWTH ON OAHU

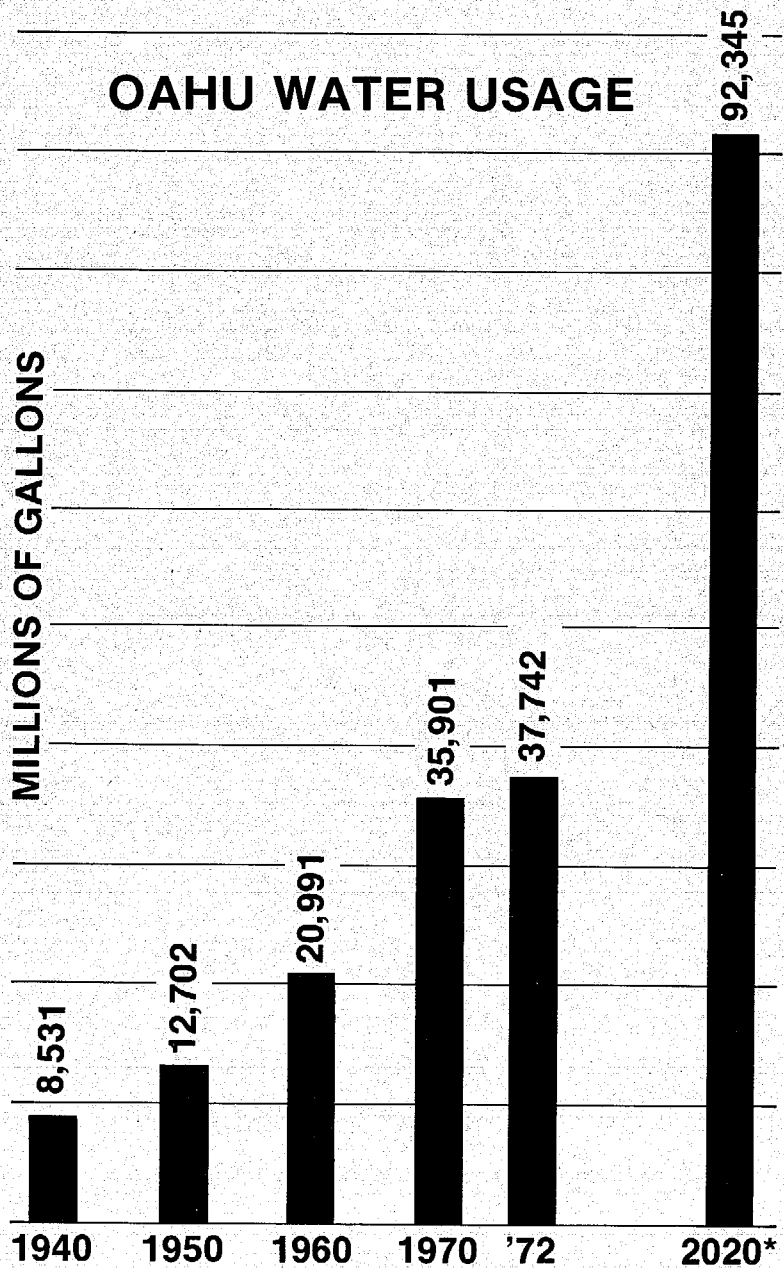


## VISITORS TO THE STATE OF HAWAII

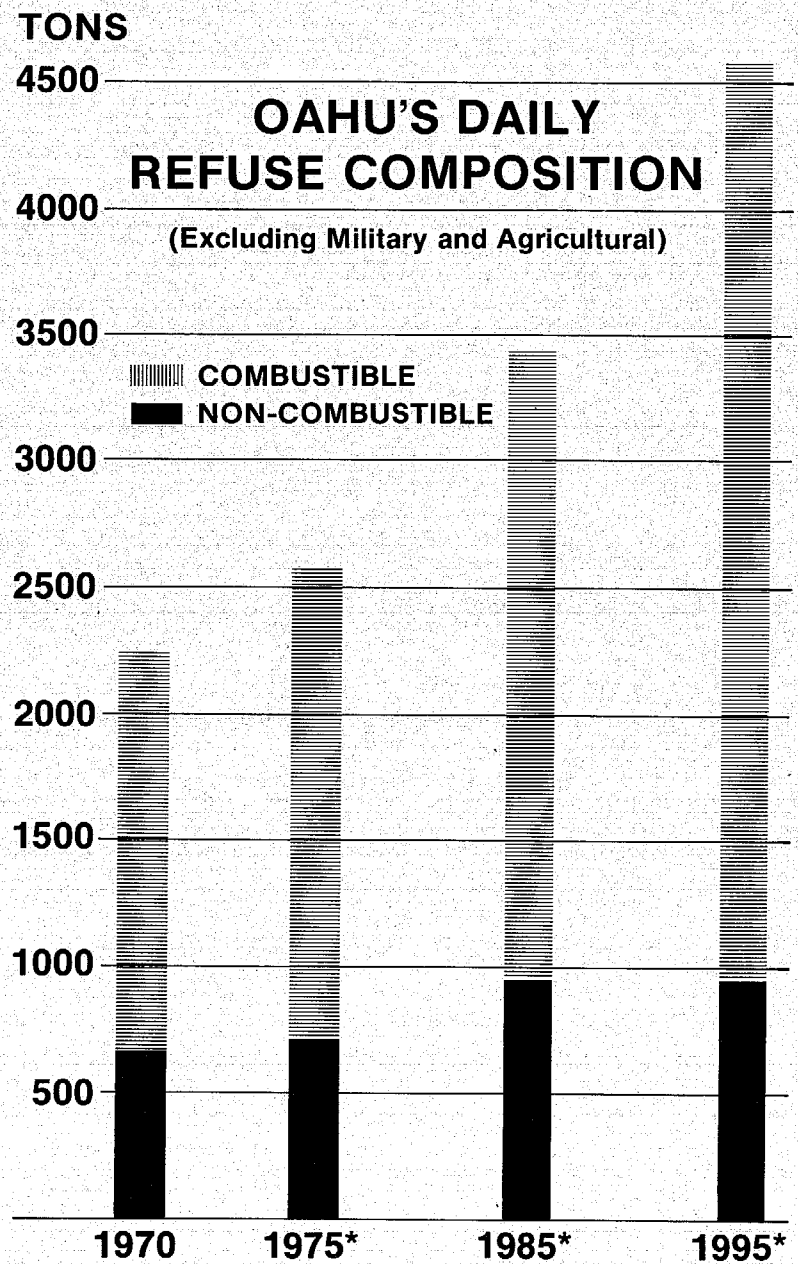
STAYING OVERNIGHT OR LONGER

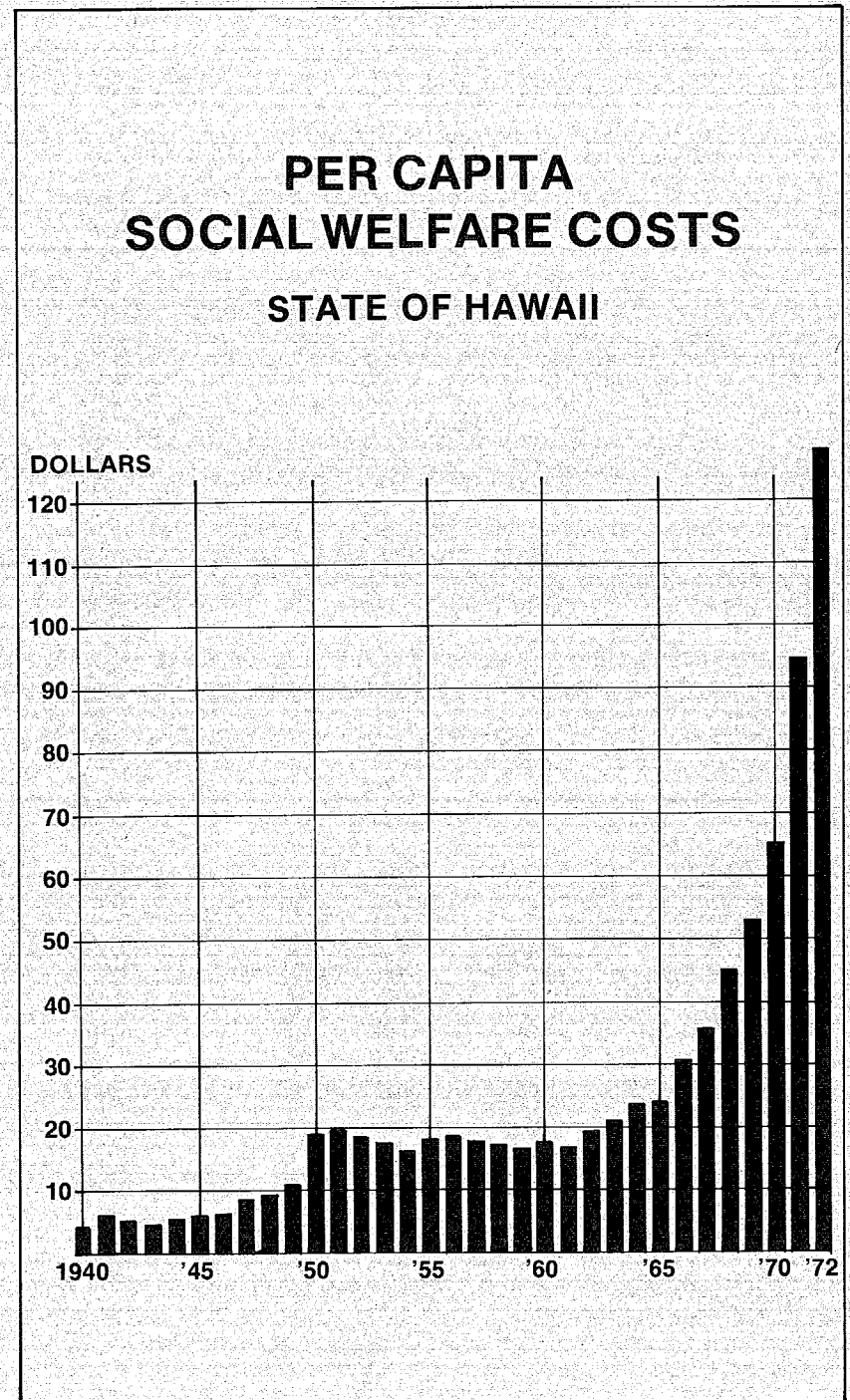
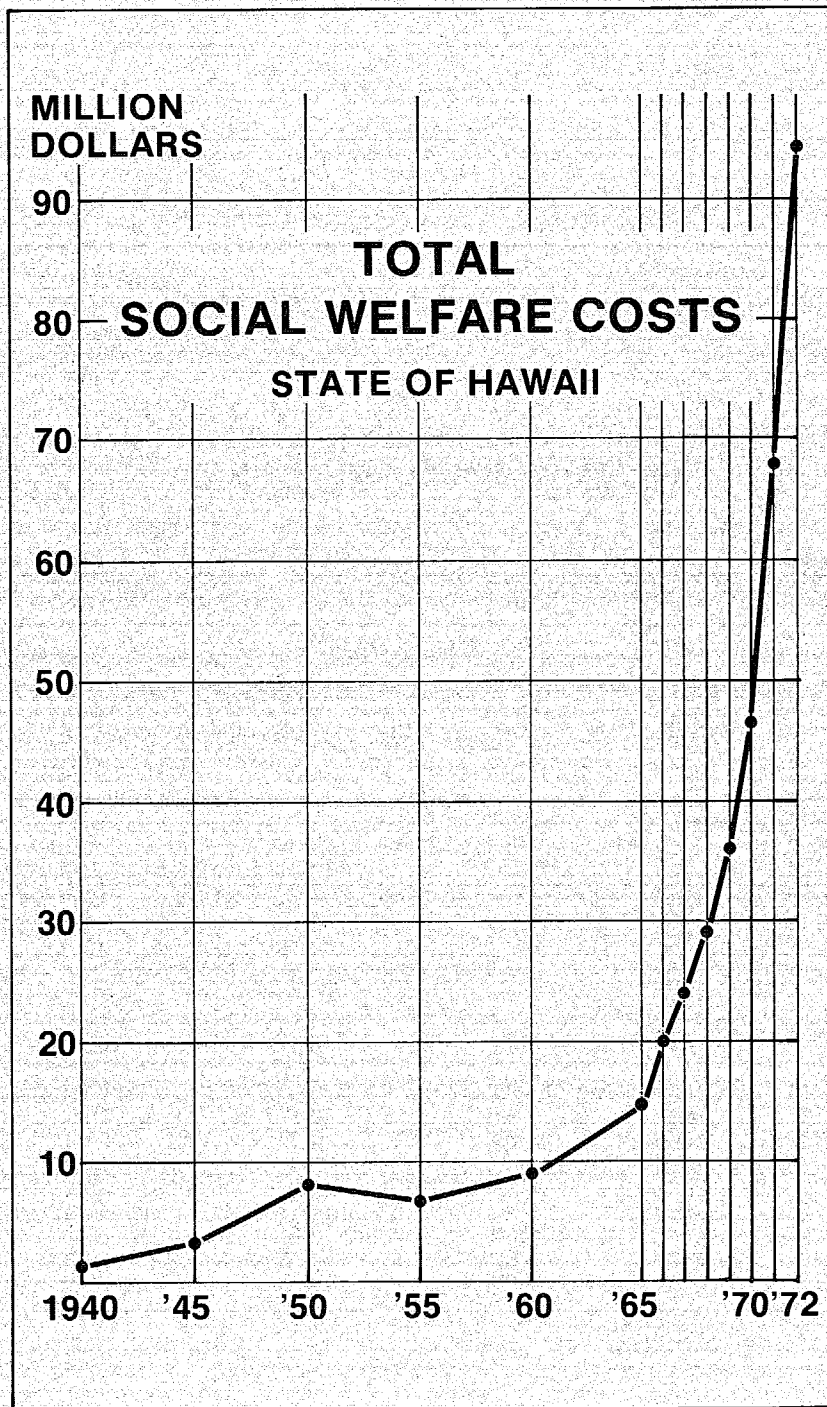






Source: Honolulu Board of Water Supply Reports





# ENVIRONMENTAL GOALS AND POLICIES FOR HAWAII

The Temporary Commission believes legislative establishment of Statewide environmental goals and policies can bring greater coherence to decision-making without stifling understandable desires for individuality within various political units.

A clear set of goals and policies also will provide a strong foundation for rational choices among competing policy and development proposals.

Because there is wide public agreement in the area of goals and policies, a logical progression would be to enact these first, then move to the consideration of strategies.

## Definitions

To help the reader understand certain important words used in this section, the Commission uses the following definitions:

Goals—indicate the desired long-range destination or aim.

Policies—state the methods or paths to attain the goals.

Strategies—are the specific measures to implement the policies.

Conservation—is planned management of a natural resource to prevent exploitation, destruction or neglect; it does allow limited use under regulation.

Preservation—is the reservation of animals, trees, or other natural resources; it does not allow use of such resources except for scientific study. It also includes protection of man-made structures of special archaeological, historical, or architectural significance.

Regenerate—is to restore or to recreate a productive condition.

Renewable resource—is one which can be replaced, regrown or reestablished.

Non-renewable resource—is one which cannot be replaced or reestablished.

Malama—is to take care of, care for, preserve; to keep as a taboo; to serve, honor, as a god; noun form is care, preservation, custodian, caretaker.

## GOALS

The goals which Hawaii must seek embody an environmental ethic, known by early Hawaiians as "Malama." By incorporating this

ethic into our total living, people can achieve a balance with nature that will optimize both the quality of life and the quality of the environment.

To restore this ethic of Malama requires:

### GOAL A: Conservation of Our Natural Resources

Land, water, visual, and air resources restored and protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State's unique natural environmental characteristics.

### GOAL B: Enhancement of Our Quality of Life

Population limits in Hawaii so that the interaction between the natural and man-made environments and the population is mutually beneficial.

Opportunities for the residents of Hawaii to improve their quality of life through diverse economic activities which are stable and in balance with the physical and social environments.

Communities which provide a sense of identity, wise use of land, efficient transportation, aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaii.

A commitment on the part of each person to protect and enhance Hawaii's environment and reduce the drain on non-renewable resources.

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## POLICIES

The following policies are recommended for adoption to help achieve the above goals:

### Population

1. Recognize population impact as a major factor in environmental degradation, and adopt strategies to alleviate this impact and prevent future degradation.
2. Develop criteria to determine optimum population levels for counties and districts within the State, recognizing these will change with technology and circumstance and adopt strategies to limit population to the levels determined.

### Conservation

3. Conserve, and require efficient management of, all natural resources.

4. Require efficient, balanced and economically feasible use of energy resources especially fossil fuel, a non-renewable resource. Develop physical resources such as solar, electrochemical, geothermal, and natural renewable energy resources available to Hawaii.
5. Preserve and restore Hawaii's natural beauty and open space not only as a natural resource but as an ennobling living environment for its people.
6. Reserve scenic, historic, cultural, parks and recreation areas, including the shorelines, for public recreational, educational and scientific uses.
7. Protect the shorelines of the State from encroachment of man-made improvements, structures, and activities.
8. Promote irrigation and waste water management practices which conserve and fully utilize vital water resources.
9. Promote recycling of waste water and solid wastes.
10. Conserve, protect and manage watersheds and water sources; scenic and historic areas; forest and open space areas; natural and scientific reserves.
11. Establish and maintain natural area preserves, wild life preserves, forest reserves, protected watersheds, marine preserves and unique ecological preserves.
12. Protect rare and endangered species of indigenous plants and animals. Require assurance of negligible ecological hazard before introducing new plants or animals.

### **Economic Activities**

13. Encourage industries in Hawaii which do not contribute to degradation of the environment.
14. Prohibit new industries which require a variance from the State's environmental standards.
15. Maintain and improve the competitive position of the agricultural industry of the State. Protect productive and potentially productive agricultural lands from urbanization.
16. Restrict hotel-resort development to designated areas in each county. Control the maximum number of units in each area in accord with environmental standards.
17. Maintain design controls over visitor destination areas.
18. Encourage continuation of environmentally-compatible Federal activities in Hawaii as a major component of the economic base of the State.
19. Encourage, so they are environmentally compatible, such

other industries as fishing, aquaculture, oceanography, recreation and forest industries.

20. Encourage research and development, both as an attractive economic activity and a means of finding ways to improve Hawaii's quality of life.

### **Community Environment**

21. Maintain an integrated system of state land use planning which coordinates the State and county general plans and reflects their respective needs.
22. Foster a variety of compatible lifestyles with special care to preserve the variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods which respect the culture and mores of the community.
23. Develop communities which provide a sense of identity and social satisfaction in harmony with the environment, and provide internal opportunities for shopping, employment, education and recreation.
24. Assure a safe, sanitary and decent home in an attractive and sound neighborhood to every family in Hawaii.
25. Treat community appearances as major economic and aesthetic assets of the counties and State. Emphasize green belts and planting in urban areas. Respect the integrity of the landscape in urban design. Preserve mountain-to-ocean vistas.
26. Plant and maintain trees, shrubs and flowers at such locations as government and private buildings, exposed parking areas, parks, and along highways and streets. Use native trees, flowers and shrubs for such landscaping.
27. Foster culture and the arts for they are linked to the enhancement of the environment and the Aloha Spirit.
28. Stop noise pollution and land pollution, such as littering, because they rank with air and water pollution as environmental concerns.
29. Provide transportation systems in harmony with these goals and policies because they provide a vital role in the lifestyle and environment of the State.
30. Develop balanced multi-modal transportation systems for people and goods to serve the different requirements of each community.
31. Establish mass transit systems in and between all counties which require it.
32. Prevent environmental degradation caused by the rapidly ris-



ing number of motor vehicles and develop strategies to alleviate this impact.

33. Set standards for the design and performance of public and private vehicles and transportation systems to (a) conserve energy, (b) reduce pollution emissions, including noise, (c) provide safe and sympathetic accommodations for their users, and (d) be consistent with these goals and policies.

#### **The Individual**

34. Encourage all individuals in the State to adopt a moral ethic

to respect the natural environment and to reduce waste and excessive consumption.

35. Encourage both formal and informal environmental education of all age groups.
36. Provide education in the schools which encourages careers in environmentally compatible fields, including agriculture.
37. Provide for expanding citizen participation in the decision-making process so it continually embraces more citizens and more issues.

# **IMPLEMENTING RECOMMENDATIONS**

- **Recommendations**
- **Issues for Decision-Makers**

# IMPLEMENTING RECOMMENDATIONS

During public review of this report one thing was made clear by the overwhelming majority of citizens who participated. This was that government must move promptly to deal with the issues presented in this report. The State Legislature is that body which must initiate the action. County Councils also have responsibilities of leadership in implementing, through ordinance, the actions which are needed.

Executive branches of local, state, and federal government must accept their respective responsibilities and initiate programs (or modify existing programs) and strategies which will implement the policies cited here.

The private sector of commerce and industry is called upon to accept lawful constraints on their activities which degrade the quality of our environment or contribute to overload. On the positive side, commerce and industry should recognize profitable opportunities to help achieve the stated goals.

Each family and each person in Hawaii has a responsibility to contribute to the implementation. Indeed, the greatest responsibility for implementing these policies lies with each of us, individually. The actions of government and the private business sector are dependent on a well-informed and concerned public. The evolution of an environmental ethic, and the rebirth of the spirit of malama call for a new learning and increased dedication on the part of each of us who would preserve the quality of life and environment in Hawaii.

The following specific actions to implement the findings in this report are recommended for consideration by the 1974 Session of the State Legislature.

1. *Enact the proposed Hawaii Environmental Policy Act.* (A draft bill is provided in the Appendix.) This bill would enact into statute the following provisions:
  - a. Those portions of this report entitled Assumptions, Concept of Overload, Goals and Policies.
  - b. The requirement that the executive branches of State and county governments implement these policies where authority already exists.
  - c. The requirement that the executive branches of State and county governments identify the areas where new authority is needed, or where conflicting policies prevent full conformance with the proposed Act, and report their findings to the 1975 Legislature.

All goals and policies are to be considered as a unified whole in evaluating projects and actions.

2. *Request Federal agencies operating in Hawaii to conform to the proposed Hawaii Environmental Policy Act.* (A draft resolution is included in the Appendix.)
3. *Direct the Environmental Council to monitor progress.* (A draft bill to amend Chapter 341, H.R.S., is included in the Appendix.) The Environmental Council would be required to record and report to the Legislature annually on the actions by all levels of government to implement the requirements of the proposed Policy Act.
4. *Direct the Ad Hoc Commission on Operations, Revenues and Expenditures to consider the recommendations of this Report.* (A draft resolution is included in the Appendix.) The Ad Hoc Commission would be asked to identify modifications in the tax structure which would provide incentives for implementing the recommended environmental policies.
5. *Create a State Planning Council.* (A draft bill is included in the Appendix.) This council would be composed of State and county planners. Its functions would be to achieve better coordination between State and county agencies involved in planning, initiate new planning concepts, act as a planning clearinghouse, and advise the director of planning and economic development on the formulation of a new State general plan.
6. *Require environmental assessments as prior steps to carrying out public and private actions which may significantly affect the environment.* (A draft bill is included in the Appendix.) This legislation should include the following provisions:
  - a. Provide for rules and regulations to operate an equitable system of adequate prediction of foreseeable environmental consequences of major government or private actions.
  - b. Provide for wide public review of such assessments and granting a "standing to sue" to those individuals or agencies who properly submit written comment.
  - c. Authorize the governor, the mayors, and chairmen of duly constituted boards and commissions to accept environmental assessments as one criterion of their decisions to approve or permit actions requiring their approval or permission.
  - d. Provide for consideration of the environmental goals and policies presented in the proposed Environmental Policy Act.
7. *Update State planning legislation.* Existing legislation needs to be improved to:
  - a. Require closer State and county coordination.



- b. Provide for adoption of a State general plan by resolution of the Legislature with a required up-dating every five years preceding the mandatory review of land use boundaries.
  - c. Provide consistent definitions of land use terms and common planning concepts.
  - d. Delete outmoded sections.
  - e. Increase citizen input in the planning processes.
8. *Adopt programs of taxation and land use compatible with the recommended goals and policies.* The Legislature should take steps to implement strategies which will combat land speculation because it frequently generates pressures contrary to environmental objectives and increases the cost of housing.
9. *Require development of criteria whereby the carrying capacity of Hawaii can be determined.* The governor should be called upon to initiate a broad program to determine the capacity of our environment. Some of the criteria to be measured include:
- a. The State's production and consumption of renewable and non-renewable resources.
  - b. The State's undeveloped capacity to increase production of renewable natural resources.
  - c. The impact on Hawaii of attaining self-sufficiency through the use of only renewable natural resources.
  - d. The optimum population level for counties or portions of counties compatible with compliance with environmental pollution control standards for air, water, land, and aesthetic values.
  - e. Human needs for open space, mobility and the pursuit of recreation, religious, commercial and social goals. These should be stated in terms of community design criteria which provide for them.
  - f. Although less specific than necessary to be considered as "criteria," the following aspects of environmental carrying capacity should receive the attention needed to start a process which can lead eventually to their being quantified.
    - 1. Recognition that Hawaii's environment contributes to the "Aloha Spirit" and that varied lifestyles require special considerations.
    - 2. Identify situations whereby new technology can ameliorate the limits of environmental capacity and reduce or prevent environmental imbalance.
  - g. Recognition that all of the above are subject to change with technology, economic considerations, human values and possibly other circumstances. Therefore, carrying capacity esti-

mates should be dynamic, and subject to re-evaluation periodically.

10. *Establish a procedure for declaring specific areas or systems At Overload or In Danger of Overload.* Using the criteria developed under the previous recommendation, a procedure is needed to deal with environmental overload. In areas or systems declared to be At Overload or In Danger of Overload, the burden of proof should be on any developer, public or private, to show that the proposed growth-stimulating development is clearly in the greater public interest before action can proceed. This is a new concept deserving wide discussion before adoption. Elements of the Overload process might be:
- a. Procedures for the State or county executive branches to certify to the Legislature and/or County Councils that a specific area or system is At Overload or In Danger of Overload;
  - b. Action by the Legislature or Council, if it concurs, to render such a declaration and later to repeal it when there is a finding the condition no longer exists;
  - c. Prohibition of any significant public or private development in an Overload area or system unless the normal and appropriate review authority has (1) received an adequate environmental assessment on the proposed project, (2) held a public hearing on the project, and (3) returned a finding that the project is clearly in the greater public interest.
- Consideration also should be given to override mechanisms whereby the State and counties would check each other by acting on an Overload declaration if the other failed to act in a specified time.
11. *Institute steps to amend Article VIII of the State Constitution.* A new Section 6 to the Public Health and Welfare Article should be added. It is specifically recommended that this new section read as follows:
- "The quality of the environment is as important to the welfare of the people of Hawaii as is the economy of the State. The determination of an optimum balance between economic development and environmental quality deserves the most thoughtful consideration, and the maintenance of the optimum quality of the environment deserves the most intensive care."
- The language quoted above is taken from Chapter 341, H.R.S. By including it in the Constitution, greater impetus will be provided for needed environmental improvements.



## Priorities

The ranking of the Implementing Recommendations does not necessarily indicate the priority or importance of each of the eleven items. Rather, the arrangement is seen as a logical sequence of events, each one of which needs to be accomplished. Enactment of the proposed Hawaii Environmental Policy Act is considered to be of paramount importance. The remaining recommendations all hinge on the existence of such a statute.

By itself, the proposed Policy Act can do little to achieve the stated goals. Each of the ten additional recommendations will contribute significantly to the improvement of the quality of life and the quality of the environment in Hawaii.

Prompt consideration and appropriate action by the State Legislature is needed for each recommendation.

## Suggested Draft Bills

Included in the Appendix are several resolutions and bills to implement some of the recommendations of the Temporary Commission. These were drafted by the Office of Environmental Quality Control and the State planning coordinator. They have not had complete legal review nor detailed scrutiny by the Temporary Commission; there was not sufficient time to do so. In general, they reflect major points the Commission felt needed legislative action.

Enactment of the proposed Hawaii Environmental Policy Act, and the accompanying additional recommendations is not viewed as the ultimate achievement. Rather the proposed Policy Act would principally serve as a set of guidelines for the affected agencies and private sectors. Subsequent legislatures will need to examine additional series of specific measures which will more directly implement these broad goals and policies.

## Citizens' Standing to Sue

After considerable discussion of the question, the Temporary Commission was unable to agree on a recommendation which would expand the rights of citizens to sue public officials to compel them to carry out environmental policies, laws, rules and regulations.

Dr. Ylvisaker, our national consultant, feels that standing to sue on the policy act is not appropriate but rather it should be directed at specific projects or actions.

A majority of members agree in principle with a citizen's inherent right to challenge government action or inaction. However, while there was unanimous agreement with the "right to sue" provision of the recommended bill requiring environmental assessments, an extension of this feature to the recommended policy act itself and other environmental laws was supported by only a minority of the members.

Some of the issues raised in the discussions were:

1. Belief that current standing augmented by recommendation #6, provides sufficient basis for citizens to challenge government.
2. Belief that citizen suits should be limited to specific laws, ordinances, rules and regulations rather than broader policy measures, and that such specific measures should spell out the rights, as well as the limitations, for citizen suits.
3. Beliefs that such broad statutory provision would lead to large numbers of lawsuits, some of which could be harassment.
4. A minority belief that experience in Michigan and other states where such a law is on the books, offers evidence that a broader grant of standing to sue would not be abused and ought to be established in Hawaii.

# ISSUES FOR DECISION-MAKERS

Comments have been made that Hawaii faces some tough decisions in the next few years ahead. Many of these have already been discussed publicly. New issues are emerging. Where do we go from here? The decision-makers of Hawaii, both public and private, need to engage in open discussion of these issues so that decisions can be made in the near future. Most of them will have a significant impact on man's interaction with his total environment.

## Overall Issues

- I. Should the State of Hawaii and its counties be on record with a commitment to protect and enhance the environment through an environmental policy act or an environmental amendment to the State Constitution?
- II. Should there be a growth policy which establishes the most appropriate rate of growth, by islands, which also emphasizes quality growth? Should growth on Oahu be slowed down until public facilities are adequate to handle the population load which now exists?
- III. Should there be an open, honest decision-making process, both public and private, in all areas affecting the environment?
- IV. Should there be a strong directive for better, cohesive, and coordinated social, economic, physical, and financial planning in Hawaii?
- V. Should there be some effort made to determine the holding capacity for each of the Hawaiian Islands? It is necessary to determine the point of overload.

- VI. Should there be a reallocation of financial resources in support of the above issues? They appear to be basic to the future course of Hawaii's growth.

### Issues Posed by the Goals and Policies

From each of the proposed goals and policies there flows a series of public policy issues for the State Legislature and County Councils to resolve. In some cases, the issues and their resulting sub-issues emerge as clear alternatives to each other; in other areas, they merely reflect the degree or rapidity of public policy determination to achieve the goals and policies. In any case, they deserve thoughtful debate by the legislative bodies and the broadest input of citizen opinion and suggestion.

#### A. POPULATION

##### Population Growth

1. In order to influence population growth in the State of Hawaii, should the State attempt to change Federal policies on immigration to the U.S. and the free movement of citizens within the nation; or should the problem be tackled through the existing limitations caused by employment opportunities, high cost of living, housing costs, etc.?

##### Population Distribution

2. Should a "balanced distribution" of the State's future population seek the same number of persons on Oahu as on the Neighbor Islands; or should the urban character of Honolulu be maintained and improved, while the Neighbor Islands retain their rural quality?

##### Population Ceiling

3. Should a specific population ceiling of one million residents be established as the State's total resident population; or should the number of future residents depend on the carrying capacity and type of community environment each County desires?

#### B. CONSERVATION

##### Shoreline Areas

1. Should all shoreline areas suitable for recreation purposes be designated for public use; or should only certain areas be selected for public use and the remainder released for private development?

2. Should new programs of public interest in less than fee acquisitions be instituted, such as compensable regulations, scenic easements, etc.; or should public interest in the sites depend on public purchase and the availability of public funds?

##### Significant Structures and Sites

3. Should the "highest and best use" tax concept be modified to encourage the retention of significant structures and sites?

##### Agriculture

4. From the standpoint of large land owners, does the social goal of alleviating our housing shortage make more economic sense than a social goal of encouraging diversified agriculture for its environmental or cultural worth?

#### C. ECONOMIC ACTIVITIES

##### Resort Development

1. Should resort development be permitted wherever and whenever the private sector requests it; or should the release of sites for resort development be strictly controlled by the State and the Counties as to location, off-site requirements and community infrastructure, number of units, and timing of development?

##### Research and Development

2. On a scale comparable to its promotion of tourism during the past decade, should the State initiate a massive program of public financing incentives to attract research and development industries to the State; or should it continue the current limited program on an ad hoc basis?

#### D. COMMUNITY ENVIRONMENTS

##### Land Bank

1. Should an organized "land bank" program be established as suggested by Overview; or should sites be acquired as they are at present?

##### Taxation Policy

2. Should the "highest and best use" tax concept be modified to encourage low density of development for the good of the community; or should the maximum tax return be sought on every parcel?

##### Resort and Community Development

3. Should resort developers be required to provide housing and community facilities for their employees; or should that remain a broader public and private responsibility as it now is for most other business activities?

##### Land Use Commission

4. Should the powers of the Land Use Commission be reduced to those of an advisory group, as proposed by Overview; or should it retain its present powers?

5. Should the Land Use Commission be enlarged to include each County Planning Director as voting members?

6. Should the State Director of Taxation be a voting member of the Land Use Commission?

7. Should the composition of the Land Use Commission be changed to reflect the fact that over 80% of the State's population is on Oahu?

#### Moratorium on Land Use Changes

8. Should a moratorium be declared on the further use of agriculture and conservation district lands for urban development until all land presently zoned for urban purposes is utilized?

#### County Zoning in Conservation Districts

9. Should both the Counties and the State be permitted to zone within conservation districts, with the condition that the more restrictive zoning shall prevail?

#### Department of Planning & Economic Development Separation

10. Should the Department of Planning and Economic Development be separated into two departments, one for planning and research and one for economic development; or should those functions continue to be combined?

#### Private Transportation

11. Should a limitation be placed on the number of automobiles permitted to operate in the State?

12. If so, should a limitation be imposed on the number of vehicles a family could have; should a substantial tax be placed on each vehicle, on its parking facilities, or its fuel; or should other fiscal restraints be imposed?

#### Public Transportation

13. Should the State change its policy to give first priority, or at least equal priority, to public transportation systems as it now does to highways and freeways?

14. If so, should the State direct the use of highway funds and CIP funds to development and operation of public transportation systems?

15. Should the State join the City and County of Honolulu in planning, developing and financing a modern public transportation system that will meet the needs of Oahu?

16. If so, should the new system be waterborne, conventional express buses on existing highways and freeways, buses on special busways, a fixed guideway system combined with feeder-buses, or a more specialized "personal rapid transit" system?

#### Housing

17. Should the State initiate a massive program to meet the unsatisfied housing needs of its residents?

18. If so, what components demand immediate State attention? State land availability, financing aids, speculation curbs, tax incentives, unwieldy public agency processing, site requirements, design innovations, etc.?

19. Should a housing corporation, somewhat similar to the Urban Development Corporation of New York State, be established? If so, how much override power, funding and staff is the State willing to give it? The chief of the New York UDC receives an annual salary almost twice that paid to any public official in Hawaii.

#### Urban Renewal

20. With the fluctuation of Federal funding for urban renewal, should the State establish a substantial revolving fund to assist the renewal of blighted residential, commercial, industrial and institutional structures and areas?

#### New Towns

21. Should the State embark on a program of assisting the development of new towns in open areas and in new towns-in-town?

#### Landscape Treatment

22. Should the State require tree planting and other landscaping treatment for all public and private construction, just as it imposes health requirements? Does the State Constitution furnish a legal basis for that type of requirement?

23. If so, should certificates be required for destruction of certain trees, just as permits are required for demolition of structures in some areas?

#### Public Structures

24. Should design competitions be required for the selection of architects and concepts for public buildings?

### E. THE INDIVIDUAL

#### Citizen Education

1. Should the State increase the importance and extent of environmental education for all age groups; or should the environmental awareness program remain the responsibility primarily of private groups?

#### Citizen Participation

2. Are there any ways in which citizens could participate more fully in governmental decisions affecting the environment?

#### Citizen Action

3. Should legislation be enacted to authorize citizens to have standing in court to permit them to file suit in order to preserve environmental values and enforce pollution standards?



# **ASSIGNMENT OF FUNCTIONS**

- **Federal Government**
- **State Government**
- **County Government**
- **Private Sector**

# ASSIGNMENT OF FUNCTIONS

There has been much discussion about who does what to protect and enhance the environment. The programs of many governmental agencies influence action that has an impact on the environment. The same is true of many private corporations and organizations. An attempt is made hereunder to define the roles of the Federal, State and county governments in environmental programs. A similar effort is made for the private sector, civic organizations, and the individual. If there is general agreement on these roles, it will then be easier to implement the goals and policies which are recommended and to assign more specifically to agencies the various functions and programs that will be necessary for implementation. The next section suggests the tools that can be used for implementation and designates the agencies most likely to use them.

## The Role of the Federal Government

The Federal government, through its various agencies, is carrying out environmental policies which Congress has established by law. The National Environmental Policy Act requires an assessment of the impact on the environment of major actions or projects when Federal funds, lands, or decisions are involved. There is a need to continue aggressive Federal actions to maintain a leadership role and to correct or prevent immediate environmental threats. The Federal role includes the following:

1. Maintain a *national overview and monitoring program* because some causes of environmental degradation cross state boundaries.
2. Provide *financial assistance* through grants to States and local governments to assist them with pollution control programs and for mass transit, parks, and open space.
3. Conduct *research and demonstration projects* to solve many problems of environmental degradation.
4. Establish *minimum standards and guidelines* for pollution control.
5. Conduct *foreign policy in matters affecting the environment* when international waters or international boundaries are involved. Problems of the environment are worldwide.
6. Formulate *national policies* in such areas as population growth, community development, land use, and others.
7. Manage *land resources*; this is an important function of the Federal government because of its land holdings and its various programs in such areas as forestry, soils, agriculture, and parks.
8. Provide *information and advice* in environmental matters; this

is a vital function that often is available only from the Federal government.

These are the major roles which can be identified at the national level; later in this report the various Federal agencies that are involved in these roles are listed.

## The Role of the State Government

The State of Hawaii, as a governmental entity, has a number of roles to carry out in environmental matters. The most important ones are these:

1. *Surveillance and monitoring* of the environment to measure pollutants and identify environmental degradation.
2. *Establishment of standards and adopting rules* and regulations in conformance with Federal and State laws.
3. *Assessment of the impact on the environment* caused by projects or actions when Federal funds, State funds or lands are used.
4. *Provision of financial assistance* to the counties for water pollution control facilities, solid waste disposal equipment, water systems, and parks.
5. *Resource management* is a prime responsibility of the State for both planning and the commitment necessary for the judicious utilization of all its resources.
6. *Land use planning* is a very important role of State government. "Intelligent land use planning and management provides the single most important institutional device for preserving and enhancing the environment and for maintaining conditions capable of supporting a quality life while providing the material means necessary to improve the standard of living."\*
7. *Transportation planning and development* is a major function of State government that has a significant impact on the environment in terms of air pollution, noise pollution, energy consumption, and influence on land use. It must be done in harmony with the natural environment as much as possible.
8. *Support of agricultural production* is necessary to maintain Hawaii's agricultural component of the economy in a viable condition. Agriculture preserves open space; it regenerates the soil; it can prevent soil erosion and sedimentation; it restores oxygen to the atmosphere.
9. *Environmental education* is provided by the State through its public education system and through public and private agencies. Unless the people of Hawaii are made aware of man's impact on the environment, there is very little likelihood that environmental problems will be solved.



10. *Legislative laws and policies* are essential to direct the various efforts of State agencies in fighting environmental pollution. Not only does this include the basic laws governing man's activities in relation to the natural environment, it provides for resource allocation and funds to support the programs of State and county agencies for environmental protection and enhancement.

11. *Information, advice, guidance, and demonstration projects* are and should be provided by the State government to assist the county agencies, private enterprise, civic and community organizations, and the individual. This role of State government will become increasingly important in the future.

These are the significant roles of State government. Beginning on page 25 we identify the State agencies most directly involved.

### **The Role of County Governments**

There are more activities of county governments that have an effect on the environment than most people realize. Here is a summary of the most important ones:

1. *Control of detailed land use planning and zoning* in the urban districts has equal importance with State land use planning and determines most of the quality of community environments.

2. *Regulation of land subdivision and grading* is done through county ordinances. What is done to the land has a significant impact on the environment.

3. *Public sewer systems and sewage treatment plants* are provided by the counties; these are the main facilities available for improving water quality in accordance with Federal and State laws.

4. *Preparation of urban design plans* is delegated to the counties by State law. These plans are essential for improving community environments.

5. The *domestic water supply and distribution system* provided by each county's board of water supply is an important tool in shaping the urban pattern on each island. It can encourage urban sprawl or compact, efficient communities.

6. The *storm water drainage system* has an impact on water quality management. If wastes, oils, and chemicals are allowed to drain into it without treatment, the quality of the waters in the streams and coastal areas deteriorates.

7. *Refuse collection and disposal* is a function of the counties and it has an impact on community environments, environmental health, and the possibility of recycling solid wastes. Sanitary land fill sites

should be selected far in advance in accord with a statewide plan for solid waste disposal.

8. *Economic development programs* of the counties should be in harmony with the economic goal and policies of this report.

9. *Support of environmental education programs* can be achieved by the counties through their parks and recreation agencies when they develop their "summer fun" programs and other activities which they sponsor.

10. *Other county activities which include fire prevention, anti-litter, urban renewal, and code enforcement programs* can help improve the environment. Community beautification and tree planting programs also help.

These are the major roles that county governments can carry out to protect and enhance the environment.

### **The Role of the Private Sector**

Perhaps the greatest impact on the environment is caused by each person acting as an individual and by the private sector of our economy. It is in this area where private architects, landscape architects, engineers, and planners must design projects for their clients so as to lessen the impact on the environment. They can play a key role in assisting the construction industry and land developers to reduce construction noise, soil erosion, and to provide good quality design.

Private community groups and civic organizations can instill an awareness of environmental concern in their members and the general public. This might be in the form of education programs, a monitoring and evaluation of governmental actions, or formulation of recommendations. There is much the individual can do in his daily activities which will help protect the environment. These activities range all the way from his purchasing and consumption patterns to his travel and waste disposal habits. There is a great need to have published in Hawaii for wide circulation some sort of a manual or booklet on "what you can do to protect the environment." The list is almost endless.

Unless each of us has a personal commitment to save and restore our environment, the battle will not be won.

The Diagram on page 26 illustrates the roles of the different levels of government and the private sector.

Implementation of the recommendations contained in earlier sections of this report will be dependent on a number of actions by all levels of government, the private sector, and each individual. Efforts to protect and enhance the environment of Hawaii must be all-pervasive; that is, everyone must carry out in his daily activities those actions necessary to save our environment. Everyone must instill in

\*Policy Statement D-10 of the National Governors' Conference, 1971.



himself a "conservation" ethic that will govern his activities sub-consciously or automatically. His concern for the environment must be an ever conscious guide that automatically tells him what to do to lessen man's impact on the natural environment.

### Program of Action

The Temporary Commission recognizes that government at all levels must take the initiative to implement the recommendations included in this report. The private sector and individuals are critical to full implementation, but government must set the example and lead.

Practically all of the goals and recommended policies included in this report are within the authorities of existing agencies of government. What is needed is clear policy guidance to establish and meet the goals, recognition of the high priority of environmental goals by assignment of resources to the programs involved, and coordinative direction and evaluation of program efforts.

Diagram 2, which follows after the listing of public and private agencies, shows the resource allocation process and the bill enactment steps of the Legislature which are necessary for existing and new programs.

The agencies having primary concern for the goals and policies recommended here are grouped under five different major areas.

## POPULATION

Federal	State
Department of Commerce	Department of Health
Department of Defense	Department of Planning and
Department of Health,	Economic Development
Education and Welfare	Commission on Population and
U.S. Immigration Service	Hawaiian Future
	Schools
	Department of Social Services
	and Housing
	Department of Transportation
County	Private
Planning Departments	Churches
	Citizen Action Groups
	Family Service Agencies
	Private Schools and Colleges

## CONSERVATION

Federal	State
Department of Agriculture	Department of Agriculture
Atomic Energy Commission	Hawaiian Homes Commission
Department of Defense	Department of Health
Environmental Protection Agency	Department of Land and Natural
Department of Housing and	Resources
Urban Development	Land Use Commission
Department of the Interior	Department of Planning and
Department of Labor	Economic Development
Department of Commerce	Public Schools and Colleges
(NOAA)	Department of Taxation
	Department of Transportation
	University of Hawaii
County	Private
Parks and Recreation	Bishop Museum
Departments	Citizen Action Groups
Planning Departments	Financial Institutions
Public Works Departments	Foundation for History and
Boards of Water Supply	Humanities
	Private Landowners
	Private Schools and Colleges
	Utility Companies

## ECONOMIC ACTIVITIES

Federal	State
Department of Agriculture	Department of Agriculture
Department of Commerce	Department of Budget and
Department of Defense	Finance
Environmental Protection	Department of Health
Agency	Department of Land and
Department of the Interior	Natural Resources
Department of Labor	Land Use Commission
Department of Transportation	Department of Planning and
	Economic Development
	Department of Transportation
	University of Hawaii
County	Private
Economic Development Agencies	Chamber of Commerce
Planning Departments	Financial Institutions
Public Works Departments	Hawaii Visitors Bureau
	Private Landowners
	Professional Groups

## COMMUNITY ENVIRONMENTS

### Federal

Civil Aeronautics Board  
Department of Commerce  
Department of Defense  
Environmental Protection Agency  
Department of Health,  
Education and Welfare  
Department of Housing and  
Urban Development  
Department of the Interior  
Department of Transportation

### State

Department of Agriculture  
Department of Education  
Hawaiian Homes Commission  
Land Use Commission  
Public Utilities Commission  
Department of Health  
Department of Land and  
Natural Resources  
Department of Planning and  
Economic Development  
Department of Social Services  
and Housing  
Department of Taxation  
Department of Transportation

### County

Boards of Water Supply  
Building and Public Works  
Departments  
Parks and Recreation  
Departments  
Planning Departments  
Traffic (Transportation)  
Departments  
Urban Renewal Agencies

### Private

Citizen Action Groups  
Developers  
Neighborhood Associations  
Private Landowners  
Professional Groups  
Financial Institutions  
Private Planning Groups  
Transportation Companies

## THE INDIVIDUAL

### Federal

Environmental Protection  
Agency  
Department of Health,  
Education and Welfare  
Department of the Interior

### State

Department of Education  
(Public Schools)  
Department of Health  
Department of Social Services  
and Housing  
University of Hawaii

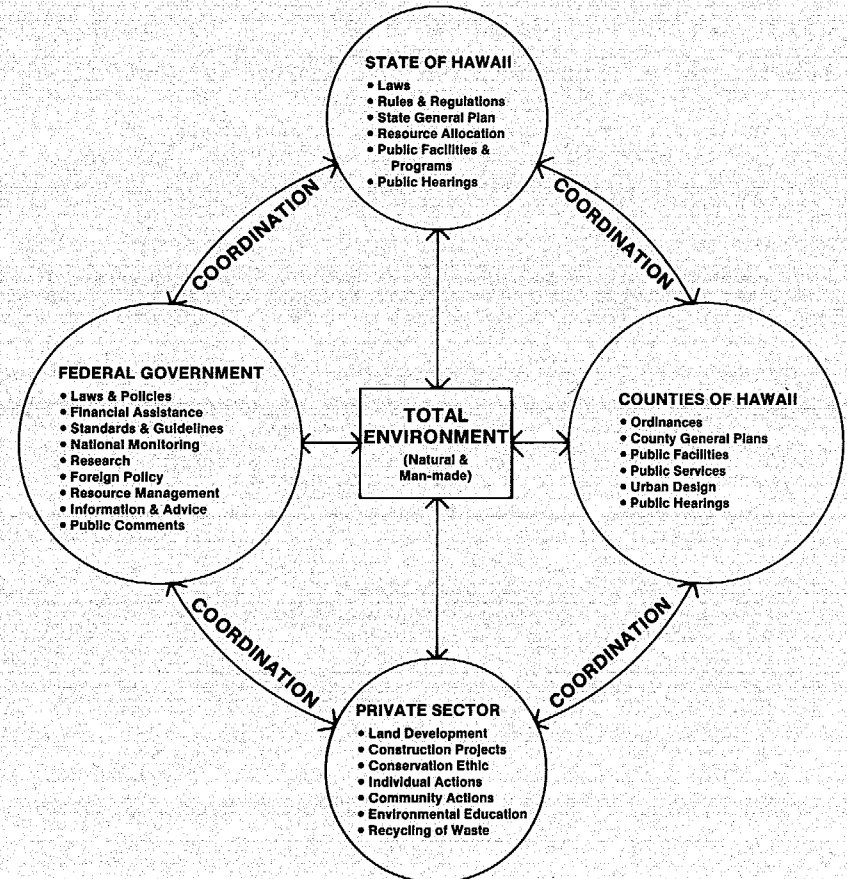
### County

Offices of Human Resources  
Parks and Recreation  
Departments

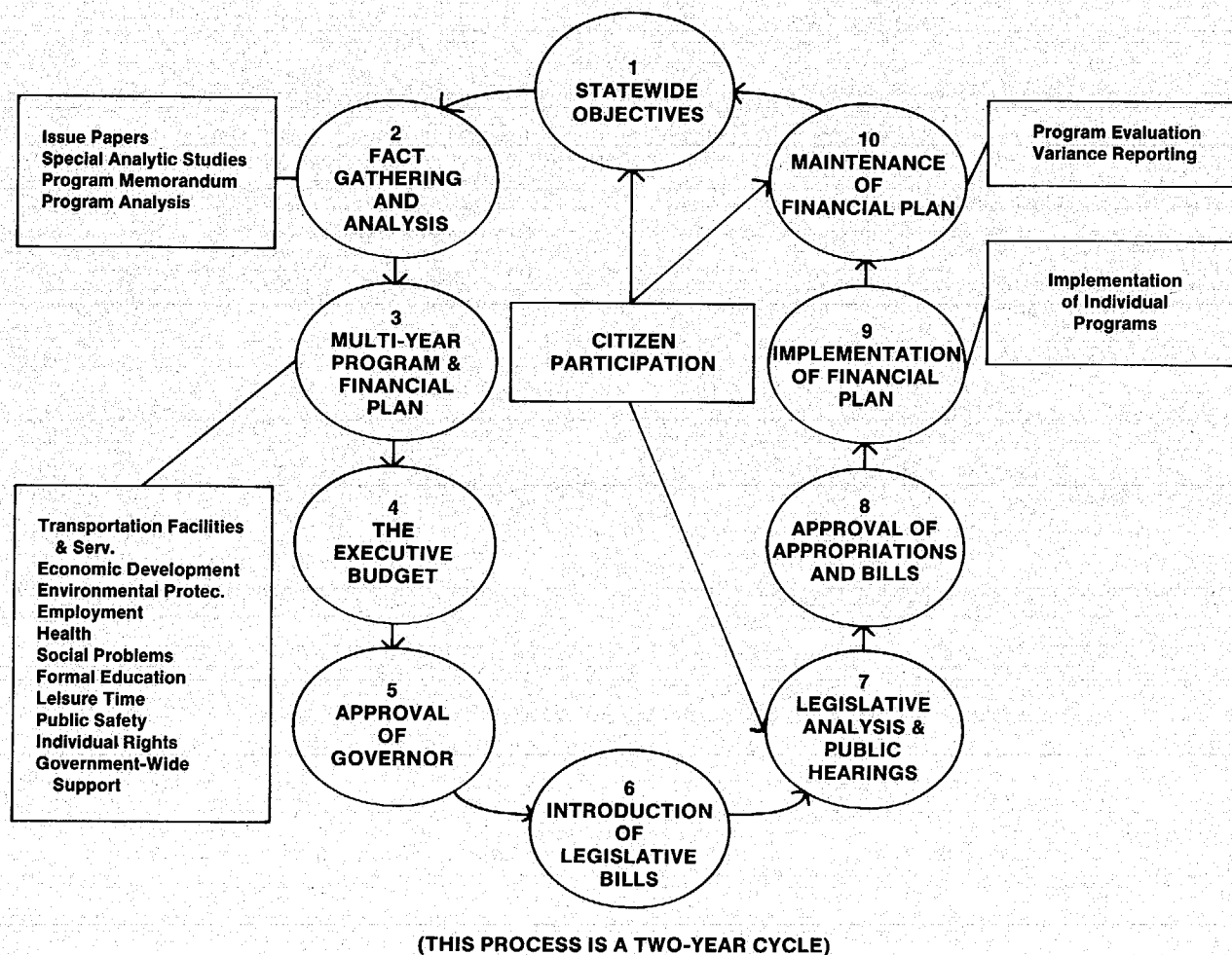
### Private

Churches  
Citizen Action Groups  
Communications Media  
Private Schools and Colleges  
All Individuals

# Diagram 1: ROLES OF GOVERNMENTS AND THE PRIVATE SECTOR RELATING TO THE ENVIRONMENT



## Diagram 2: STATE GOVERNMENT'S RESOURCE ALLOCATION PROCESS AND PROGRAM IMPLEMENTATION



As evidenced above, the programs which support environmental goals and policies are distributed among many agencies. Several states have sought to overcome the difficult job of coordinating these programs by creating a separate agency, such as a Department of Environment. A recommendation of this sort was made by Overview Corporation in its 1972 report "State of Hawaii Comprehensive Open Space Plan."

The Temporary Commission discussed the issues involved in such a reorganization of State government. The question should be open for further discussion and study. The Commission is divided as to whether such a reorganization is needed or desirable. Perhaps, properly used, the State PPB system could provide the means to achieve program coordination and evaluation.



# ACKNOWLEDGMENTS

The Temporary Commission for Statewide Environmental Planning owes thanks to so many people it cannot possibly mention them all.

While the Legislature decreed our creation, it did not provide a budget.

That proved to be no serious problem, however, for these reasons:

- The U.S. Environmental Protection Agency granted us \$29,800 through the State Department of Health.
- Laurance S. Rockefeller made us a personal gift of \$5,000.
- Three Hawaii charitable trusts supported us as follows: Juliette M. Atherton Trust, \$4,000; Charles M. and Anna C. Cooke Trust, \$1,000; Samuel N. and Mary Castle Foundation, \$1,000.
- We got heroic support from the Office of Environmental Quality Control. For the months of our existence, Richard Marland, interim director, gave top priority to commission matters. Other members of the OEQC staff were Mrs. Judy Blatchford who served as our executive secretary and Richard Hopper who served as a researcher and commission assistant.
- The services of Frank Skrivanek, State planning coordinator, were made available from the Department of Planning and Economic Development at the request of Governor Burns, and his secretary Charlene Len, handled the retyping of the many drafts of our proposals.
- None of the OEQC or DPED people knew the meaning of a time clock.
- The Department of Agriculture made its Print Shop available to produce more than 2,000 copies of our preliminary and final drafts with Mrs. Rowena Tanaka handling the output.
- The Honolulu Star-Bulletin, whose editor was our chairman, contributed art, photographic and reproduction help along with the secretarial services of Mrs. Trinidad Peltier.
- A widely praised slide show used during our August-September submission was produced on an entirely volunteer basis by a team headed by Lionel Medeiros of the College of Continuing Education at the University of Hawaii. Mrs. Kay Lewis wrote the script. Jack Kellner and Robert Miller did voice tracks. Lionel Medeiros and Rick Hopper assembled the slides.
- The Ford Foundation sent two executives, William Felling and David Othmer, to Hawaii to consult with us on our work and give suggestions regarding public presentations.

- The American Institute of Architects brought its national president, Archibald C. Rogers, to one of our early meetings to advise the executive committee of a similar undertaking nationally.
- The Hawaii Environmental Simulation Laboratory (HESL) gave us invaluable help through critiques, an introduction to an analysis technique called Impasse, and assistance with television presentations and the organization and planning of a highly successful "Plan Your Environment" booth at the Teen Fair at the Honolulu International Center. Mrs. Mary Bitterman was the principal HESL officer assisting us, but Doak Cox, David Povey and Bill Kloos also devoted much time to us.
- Public relations assistance was provided free by the Millic Advertising Agency and also by Mrs. Kay Jones, information officer for the Department of Education.
- Every Oahu television station gave us public service time in addition to news coverage. In addition, KGMB gave us a free booth at the Teen Fair, KITV provided free recording facilities for the slide show, and KHET undertook the task of covering live our public meeting at Kalihi-Palama.
- Radio stations also were generous in announcing our meetings and carrying news of our activities. KHVH gave us a full evening on the air for a call-in show plus considerable call-in coverage. On the Neighbor Islands radio personalities Rick Medina of KMVI on Maui and Mel Medeiros of KPUA in Hilo gave extended special coverage.
- The printed media also were generous with their space. Both the Hawaii Tribune-Herald and the Honolulu Star-Bulletin reprinted in full the summary of the draft which was the basis for our public submission in August and September. On all islands we were well covered and reported.
- Cable Television Corp. of Leeward Oahu through the person of Henry (Chip) Ellis devoted many hours to helping us—first in recording one of our commission meetings for a Ford Foundation presentation, then in videotaping the environmental concerns of 215 visitors to the Teen Fair booth and editing these into a one-hour tape for later presentation.
- Many school teachers, students and suppliers pitched in to make the Teen Fair project a success. Among these were representatives of Farrington, Kamehameha, Roosevelt, St. Francis and University High Schools and the Pacific and Asian Affairs Council.
- Literally dozens of other people worked on all islands to ar-

range our public and group meetings, publicize them, arrange the rooms and oversee their conduct.

- Many individuals and organizations devoted hours to studying and criticizing our draft report in order to help improve it. Some stand out, of course, but they, too, are literally too numerous to mention without offending some we may overlook.
- Dozens of clubs and organizations, also nameless here, made time in their meeting programs to hear us. Some even scheduled special meetings.
- The Oahu Development Conference agreed to print and widely distribute summary copies of our final report at no cost to us.

\* \* \*

The funds we received will be carefully accounted for to the State Government, through which all were administered. They went to pay for the retention of a national consultant, Dr. Paul N. Ylvisaker of Harvard University; travel of neighbor island members to Oahu meetings, travel to the neighbor islands for public meetings, costs of the Kalihi-Palama televised meeting, supplies and printing.

To most of us who participated on the Temporary Commission, the willingness of people to volunteer help has been a heartening demonstration of widespread concern for environmental affairs. We extend to all these people a heartfelt Mahalo.

**THE SENATE  
SEVENTH LEGISLATURE, 1973  
STATE OF HAWAII**

**S.C.R. NO.  
14  
H.D.1**

## **SENATE CONCURRENT RESOLUTION**

PROVIDING FOR THE OPTIMAL PROTECTION OF THE ENVIRONMENT.

WHEREAS, the quality of the environment is vitally important to the welfare of the people of Hawaii; and

WHEREAS, the early adoption of a strong State-wide environmental policy is necessary for the optimal protection of our environment; and

WHEREAS, such State-wide policy must be made specific and explicit in providing directions to actions which can control growth to

assure that the optimum quality of environment and life style are preserved; and

WHEREAS, it is necessary to integrate the development of these policies into the public planning process of the State if these goals are to be achieved; and

WHEREAS, such integration calls for action by the public planning agencies to consider alternative specific environmental policies for applicability, feasibility and effectiveness; now, therefore,

BE IT RESOLVED by the Senate of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, the House of Representatives concurring, that the Governor appoint a Temporary Commission on State-wide Environmental Planning to include:

- (1) The Planning Director, or his highly placed representative, from each County.
- (2) A qualified representative from the public sector of each County, nominated by the respective Mayors of Kauai, Maui, Hawaii and Honolulu.
- (3) The Director, Chairman, or his highly placed representative, from the following State Agencies:

Agriculture  
Budget and Finance  
Education  
Health  
Labor and Industrial Relations  
Land and Natural Resources  
Land Use Commission  
Office of Environmental Quality Control  
Planning and Economic Development  
Social Services and Housing  
Taxation  
Transportation

- (4) A Member from the County Council of each County.
- (5) A Member of the Hawaii State Senate.
- (6) A Member of the Hawaii State House of Representatives.
- (7) A Chairman possessing distinguished credentials; and

BE IT FURTHER RESOLVED that the Temporary Commission shall establish an Executive Committee of five members including the Director of the Office of Environmental Quality Control to facilitate the handling of its affairs; and

BE IT RESOLVED that the function of the Temporary Commission on State-wide Environmental Planning is to provide policy guidance for State General Planning by incorporating into State and County plans those specific policy statements which assure fullest

consideration of the environment and human life styles and to assign responsibility to the appropriate agencies for implementing the plans and policies; and

BE IT FURTHER RESOLVED that the Temporary Commission shall accomplish its function by November 1, 1973; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to Governor John A. Burns; the respective Mayors and Planning Directors of the Counties of Kauai, Maui, Hawaii and the City and County of Honolulu; the County Councils of Kauai, Maui, Hawaii and the City Council of the City and County of Honolulu; the Director or Chairman of the State Departments of Agriculture, Budget and Finance, Education, Health, Labor and Industrial Relations, Land and Natural Resources, Planning and Economic Development, Social Services and Housing, Taxation, and Transportation; the Chairman of the Land Use Commission; and the Director of the Office of Environmental Quality Control.

## **STATE OF HAWAII TEMPORARY COMMISSION ON ENVIRONMENTAL PLANNING**

### **CHAIRMAN**

Mr. A. A. Smyser, Editor, Honolulu Star-Bulletin

### **LEGISLATORS**

Senator Kenneth Brown  
Representative Jean King

### **COUNTY COUNCIL REPRESENTATIVES**

Mr. Dante K. Carpenter, Hawaii County Council  
Mr. George Akahane, Honolulu City Council  
Mr. Clesson Chikasuye, Honolulu City Council  
Mr. Burt Tsuchiya, Kauai County Council  
Mr. Joseph E. Bulgo, Maui County Council

### **PUBLIC SECTOR REPRESENTATIVES**

Mr. Takashi Domingo, Hawaii  
Mr. Eugene Connell, Honolulu  
Mr. James Shinno, Kauai  
Mrs. Jackie Tavares, Maui  
Mr. Aaron Levine, Oahu Development Conference

### **COUNTY PLANNERS**

Mr. Raymond Suefuji, Hawaii Planning Director  
Mr. Robert Way, Honolulu Chief Planning Officer  
Mr. Leonard Zalopany, Kauai Planning Commission  
Mr. Howard Nakamura, Maui Planning Director

### **STATE AGENCY REPRESENTATIVES**

Mr. Frederick Erskine, Agriculture (A. M. Dollar)  
Mr. Susumu Ono, Budget and Finance  
Mr. Hubert Kimura, Budget and Finance  
Mr. James Edington, Education (Edgar Hamasu)  
Dr. Walter Quisenberry, Health (Jackie Parnell)  
Mr. Robert Hasegawa, Labor and Industrial Relations  
Mr. Sunao Kido, Land and Natural Resources (Gordon Soh)  
Mr. Eddie Tangen, Land Use Commission (Tatsuo Fujimoto)  
Mr. Richard Marland, Environmental Quality Control  
Mr. Edward J. Greaney, Planning and Economic Development  
Mr. Frank Skrivanek, Planning and Economic Development  
Mr. Myron Thompson, Social Services and Housing (A. Chang)  
Mr. Stanley Ooka, Taxation (Herbert Welder)  
Mr. E. Alvey Wright, Transportation (A. H. Kam, D. Sakamoto)

### **FEDERAL AGENCY REPRESENTATIVES**

Mr. Robert Barrel, National Park Service  
Col. John H. Bishop, CINCPAC (Lt. Col. Donald Gaston)  
Mr. Ralph Segawa, FHWA (Richard Moeller)

### **EXECUTIVE COMMITTEE**

Mr. A. A. Smyser, Mr. Richard Marland, Mr. Frank Skrivanek, Senator Kenneth Brown, Representative Jean King, Mr. Raymond Suefuji, Mr. Leonard Zalopany, Mr. Hubert Kimura, Mr. Howard Nakamura, Mr. George Akahane, Mr. Aaron Levine and Colonel John H. Bishop.

### **CONSULTANT**

Dr. Paul N. Ylvisaker, Harvard University

## **HISTORY OF THE TEMPORARY COMMISSION**

The history of the Temporary Commission on Statewide Environmental Planning is short—but full.

Its first full meeting was May 8, 1973. Its final report is submitted on November 6, 1973, less than six months later.



If the Commission succeeds in helping to develop the strong Statewide environmental policy that Senate Concurrent Resolution 14 of 1973 says is needed, this will be because of its composition.

Representatives from all four counties and the State were invited to work together, as directed by the resolution, to develop policy. These persons were already familiar with our environmental problems and the many recommended solutions.

Thus they were able to move quickly to try to hammer out the outlines for a common policy to guide the State and Counties in the future. They were joined by Federal and public members to provide a broader perspective. They also retained the services of a respected national planner, Dr. Paul Ylvisaker of Harvard University, to give them national and international perspective.

Governor Burns told the Commission at its opening meeting to develop something that could be "written into law as a basic environmental policy of the State ... a comprehensive plan for the restoration, protection and enhancement of our natural and man-made environment."

Commissioners worked in this fashion:

- They reviewed all matters as a full commission rather than through task forces because they recognized that "everything is connected to everything else" and wanted to recognize the trade-offs involved.
- They defined the scope of their work as to make recommendations on areas of interaction between man and his total physical environment, natural and man-made. They thus viewed their work as capable of becoming an environmental portion of a broader State General Plan, when one is enacted.
- They decided not to seek more public input (the word "more" will be explained soon) until they had a preliminary proposal, a "target" for the public to shoot at. This was completed as scheduled by August 15 after 20 well-attended meetings of the full commission and 18 meetings of its executive committee which dealt with procedural matters. All Counties, the State, the Federal government and the public sector were represented on the executive committee.
- All commission meetings were open.
- Between August 15 and the end of September, the Commission went to the public as intensively as it could. More details of this are contained in the following section.

The response validated our assumption that the goals and policies represent widely shared aspirations for Hawaii. Except in the population area, none of the preliminary goals and policies

was fundamentally challenged. Suggestions were for sharpening, correction and some additions.

The overwhelming response also was in favor of an Environmental Policy Act along the lines outlined. There were, however, a few strongly expressed objections. Life of the Land, for instance, believes it would be better to adapt the National Environmental Policy Act to Hawaii. The Hawaiian Sugar Planters' Association said the proposed environmental policy should be a resolution, not a law, because its form was too general and subject to misinterpretation and misuse. HSPA also said the Temporary Commission exceeded the mandate of SCR #14. The Commission disagrees.

- On September 27, as the input period ended, the full commission reconvened, summarized the comments and heard from its national consultant, Dr. Ylvisaker. This started a process of re-writing, first through the executive committee, then through the full commission that culminated in the final report.

A reference was made above to the Commission soliciting "more" public input during August and September.

This relates to the pre-history of the commission.

While it was not convened until May 8, a great deal of preliminary work was done in late 1971 and 1972 by the permanent Environmental Council, a body with a full strength of 15 that is advisory to the Governor.

Hearings by this Council developed an awareness of widely-shared broad environmental concerns in the State.

These showed a broad concern for the environment, going far beyond narrow pollution questions. They showed the holistic recognition that "everything is connected to everything else." They also showed even conservative groups in the community that usually resist "more government" share the feeling that many environmental problems are so broad and sweeping that government has to play a lead role in addressing them.

These meetings provided the basis for the recommendation, later supported by the Governor and the Legislature, that a Temporary Commission on Statewide Environmental Planning was needed.

The enabling resolution started in the Senate as Senate Concurrent Resolution 14. It became SCR 14, House Draft 1, when the House added a November 1 deadline and the Senate concurred.

The Temporary Commission received summaries of the testimony to the Environmental Council. It also had the benefit of literally dozens of other documents and studies with which one or more of its members are familiar.

Reference to these further reinforced the feeling that, thanks to the great amount of work and study previously done, public opinion in Hawaii already contain a strong environmental ethic, and a truly amazing amount of agreement on the general goals to be sought. Disagreements are more in the area of methods and velocity of change than on goals.

The Commission thus presents its recommended goals and policies with firm assurance they are widely supported. It knows also that decision makers will have a much tougher job determining how to get to these goals, but we venture to suggest some ways.

We believe the going will be easier if a law is enacted stating that Hawaii must follow a conservation ethic and enumerating specific goals and policies in support of that ethic. Then the destination will be clearly in sight.

## SUMMARY HIGHLIGHTS OF COMMISSION MEETINGS AND PUBLIC INPUT

The Temporary Commission held the following public meetings to hear and discuss reactions to its draft report.

Date	Place	Attendance
Sept. 5	Capitol Auditorium .....	100
Sept. 6	Waipahu Library .....	14
Sept. 10	Wahiawa Intermediate School .....	35
Sept. 11	Kahului Library .....	50
Sept. 12	Lahaina Civic Center .....	36
Sept. 13	Kaunakakai School, Molokai .....	27
Sept. 17	Kaneohe Library .....	18
Sept. 18	Susannah Wesley Center, Kalihi .....	30
Sept. 19	Waianae Intermediate School .....	100
Sept. 20	Kauai Convention Hall, Lihue .....	41
Sept. 21	Waimea Library .....	19
Sept. 24	County Council Chamber, Hilo .....	100
Sept. 25	Sgt. Yano Building, Captain Cook .....	22
Sept. 26	Kailua Library, Oahu .....	20
Sept. 27	Orvis Auditorium, UH Manoa .....	85

### MEETINGS WITH STATE AND COUNTY OFFICIALS

Aug. 15	Senate Interim Committee on Planning .....	15
Aug. 16	Workshop for State and County Officials .....	75
Sept. 13	Maui County Council and Department Heads .....	25
Sept. 21	Kauai County Council and Mayor .....	12
Sept. 24	Hawaii County Mayor and Staff .....	30

As of the publication date of this final report, the Commission has also made 45 separate presentations to citizen groups, conferences, college classes and professional organizations. A total of over 1,500 people attended these meetings.

Commission members discussed the subject matter of the report and responded to questions on 14 radio and television broadcasts. A number of Commission members also participated in a Teen Fair at the Honolulu International Center, September 14-16, video-taping the environmental concerns of over 200 people.

Many groups and individuals have provided the Commission with written criticisms and suggestions which have influenced both form and content of this final report. Over 100 people sent in the response coupon published with a summary of the Commission's proposed goals and policies.

The general attitude of the vast majority of opinions expressed through these various channels has been this: "Should have been done years ago. But put some more teeth in it to make it work. Too many people. Too many cars. Too much concrete."

There has been a widespread concern and support for development of an environmental ethic, control and slowing of urban growth, more public control of major land use decisions, control of land speculation, promotion of diversified agriculture, devising more efficient public transportation systems and further investigation into methods for limiting population. Many are in favor of limiting in-migration and some see this thinking as a threat to the Aloha spirit. There is a growing awareness of the interrelatedness of these areas of concern. As one example, many have said that Hawaii's natural beauty must be protected for its own sake and as a necessary resource of the tourist industry. At the same time, the tourist industry itself must be controlled both to prevent its destroying its own base of natural beauty and to protect the resident population from depending too heavily on one narrow economic foundation. For this reason diversified agriculture is seen as an attractive way of avoiding the environmental problems posed by monoculture, as a means of conserving open spaces, broadening the economic base of the State and providing an added measure of protection from the stress caused by shipping strikes. While not addressed directly by this report, social concerns such as

rising welfare costs are seen as significant indicators that these inter-related systems are not functioning satisfactorily.

In the business community, there is concern that imprecise legislation and rigid environmental impact statement requirements might be abused. The chief fear is that impact statements might be required for on-going projects causing costly disruptions. There seems

to be a general acknowledgement, however, that environmental assessment in the planning stage is the proper responsibility of anyone proposing a major project. Some environmental groups feel strongly that citizens should be given standing to sue in environmental cases as an important safeguard to assure that public and private decision makers live up to their responsibilities to all the people.



# **APPENDIX**

- **Illustrative Draft Legislation**
- **Supplementary Material**



# SUGGESTED DRAFT

## A BILL FOR AN ACT RELATING TO ENVIRONMENTAL POLICY

SECTION 1. *Purpose.* The purpose of this Act is to establish an environmental policy for the State of Hawaii to guide future public and private actions that may have an impact on the environment.

SECTION 2. *Findings and declaration of necessity.* The Legislature finds and declares as follows:

(a) Hawaii's natural environment is limited in scale and quantity. In many aspects it is fragile and unique.

(b) Hawaii's man-made environment consists of social institutions and physical structures which are dependent on the natural environment.

(c) The man-made environment frequently consumes natural resources and modifies the natural environment; man has the capacity to enhance the physical environment so as to reduce the strain on the environmental balance.

(d) Human beings organize themselves into societies which strive to better their quality of life.

(e) High standards of living, currently equated with higher rates of consumption, as practiced in developed industrial nations, frequently consume more of the natural environment.

(f) Man is an integral part of the total physical environment and not separate from it.

(g) The man-made environment cannot continue to take indefinitely from the natural environment beyond the assimilative capacity of the natural environment to regenerate itself. Man must seek to attain a balance with the environment so as to optimize both the quality of his life and the quality of the environment.

The Legislature further finds and declares that:

(a) The maintenance of a quality environment for the people of this State now and in the future is a matter of statewide concern.

(b) It is necessary to provide a high quality environment that at all times is healthful and pleasing to the senses and intellect of man.

(c) There is such a thing as an Aloha Spirit identified with empathy, tolerance, graciousness, friendliness, understanding, giving. It is fragile and can be shattered by population pressures and a highly competitive society. It is worth preserving and one way to do so is to master the pressures alienating us in our own land. It springs from the natural environment of these islands and the heritage of Hawaiian life styles. Our island geography, a benign climate, and beautiful vistas help create this spirit. Thus, we have an additional debt to our natural

surroundings and a strong self-interest in protecting and enhancing what nature has given us.

(d) Where interests of residents and non-residents conflict, those of residents should take precedence, over those of non-residents without denying fundamental human rights.

(e) There is a need to understand the relationship between the maintenance of high quality ecological systems and the general welfare of the people of the State, including their enjoyment of the natural resources of the State.

(f) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the State take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.

(g) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.

(h) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.

(i) It is the intent of the Legislature that all agencies of State government which regulate activities of private individuals, corporations, and public agencies which may affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage.

The Legislature further finds and declares that:

(a) Hawaii must find the key which will lead to a balance between man and nature and resolve conflicts between the man-made and natural environments. These conflicts place society in the role of aggressor against nature as we seek to fulfill human desires.

(b) The imbalance is directly related to population pressures. In Hawaii today, growth of population and increased levels of human desires have outpaced our capability to grow without environmental damage.

(c) Hawaii is approaching, and in some cases has exceeded, the limits of the environment's ability to support human activities at present levels of technology; we have in these cases exceeded the carrying capacity of the environment. We have reached a condition of "overload." The result is a diminished quality of life and environment.

(d) Statistics show that Oahu's population of 257,696 in 1940 grew to 630,528 in 1970 and is predicted to range between 990,000 and 2,010,000 by the year 2000.

(e) Motor vehicle registration is doubling about every 12 years; the annual count of tourists is doubling every four years. It is ques-

tionable if Oahu, with crowded streets and 360,000 motor vehicles now can possibly accommodate 700,000 cars by 1985.

(f) If then, as the Legislature finds, the key is "overload," certain courses of action are clearly indicated:

(1) The Legislature recognizes that the condition of overload is not solely that of population density, but until consumption practices are moderated, and technology advances are made, Hawaii must pause or slow down its growth in population.

(2) Hawaii must proceed quickly to measure the ability of our natural environment to cope with the impact of human society. We must determine which systems are most susceptible to overload, and at what level of human activity the overload occurs. Evidence is abundant that the capacity of either our natural environments or our man-made environment is already overloaded in many places.

(3) Moderation of population overload and the measurement of environmental carrying capacity must quickly be directed toward certain areas. These are the areas of critical concern. These are the places where current trends toward overload are most severe.

Among these are:

- Coastal Zone
- All of Oahu
- Agricultural lands
- Tourist facilities
- Energy consumption
- Unique natural and historic sites
- Social welfare costs

(4) The carrying capacity of our environment is not only a function of how many people we accommodate, but it is also directly related to consumption practices. The technology we use to gratify human desires and meet basic human needs can be improved. Some people claim that technology has brought about the imbalance between man and nature. The Legislature believes that our engineers and scientists can develop and apply newer technology which can meet society's needs and desires, while still protecting the natural environment. Our growth in population should be matched by growth of this new technology.

(5) The status of overload is also a function of our collective ignorance. No intelligent society would deliberately set out to destroy its life-support. Yet, because we do not know all that we should, society is doing that very thing. Hawaii must learn what is needed so that there evolves in all our people a new ethic by which to live. This ethic is fundamental to our goal of balance with nature. It will be achieved by the conscious and unconscious rec-

ognition of the results of our consumption of the natural environment, and learning the actions which we must take to achieve harmony.

(g) Recognizing that the key to our environmental dilemma is overload, the Legislature declares that the State adopt a series of goals, the attainment of which will prevent new overload conditions and correct existing ones. To reach these goals, the State must adopt and implement certain policies which govern societal actions:

SECTION 3. *Definitions.* As used in this Act, certain words shall be defined as follows:

(a) Goal indicates the desired long-range direction or aim.

(b) Policy states the method which should be applied to attain the goal.

(c) Strategy is a specific measure to implement a policy.

(d) Conservation is planned management of a natural resource to prevent exploitation, destruction, or neglect; it does allow limited use under regulation.

(e) Preservation is the reservation of animals, trees, or other natural resources; it does not allow use of such resources except for scientific study. It also includes protection of man-made structures of special archaeological, historical, or architectural significance.

(f) Regenerate is to restore or to recreate a condition.

(g) Renewable resource is one which can be replaced, regrown, or reestablished.

(h) Non-renewable resource is one which cannot be replaced or reestablished.

SECTION 4. *Environmental Policy.* Be it enacted by the Legislature that it is the policy of the State to:

(a) Strive to achieve the following goals:

GOAL A: Conservation of Our Natural Resources

- Land, water, visual, and air resources restored and protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State's unique natural environmental characteristics.

GOAL B: Enhancement of Our Quality of Life

- Population limits in Hawaii so that the interaction between the natural and man-made environments and the population is mutually beneficial.
- Opportunities for the residents of Hawaii to improve their quality of life through diverse economic activities which are stable and in balance with the physical and social environments.

- Communities which provide a sense of identity, wise use of land, efficient transportation, aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaii.
- A commitment on the part of each person to protect and enhance Hawaii's environment and reduce the drain on non-renewable resources.

(b) Use the following policies to attain the goals:

#### *Population*

1. Recognize population impact as a major factor in environmental degradation, and adopt strategies to alleviate this impact and prevent future degradation.
2. Develop criteria to determine optimum population levels for counties and districts within the State, recognizing these will change with technology and circumstance.

#### *Conservation*

3. Conserve, and require efficient management of, all natural resources.
4. Require efficient, balanced and economically feasible use of energy resources especially fossil fuel, a nonrenewable resource, by developing physical resources such as solar, electrochemical, geothermal, and natural renewable energy resources available in Hawaii.
5. Preserve and restore Hawaii's natural beauty and open space not only as a natural resource but as an ennobling living environment for its people.
6. Reserve scenic, historic, cultural, parks and recreation areas, including the shorelines, for public recreational, educational and scientific uses.
7. Protect the shorelines of the State from encroachment of man-made improvements, structures, and activities.
8. Promote irrigation and waste water management practices which conserve and fully utilize vital water resources.
9. Promote recycling of waste water and solid wastes.
10. Conserve, protect and manage watersheds and water sources; scenic and historic areas; forest and open space areas; natural and scientific reserves.
11. Establish and maintain natural area preserves, wild life preserves, forest reserves, protected watersheds, marine preserves and unique ecological preserves.
12. Protect rare and endangered species of indigenous plants and animals. Require assurance of negligible ecological hazard before introducing new plants or animals.

#### *Economic Activity*

13. Encourage industries in Hawaii which do not contribute to degradation of the environment.
14. Prohibit new industries which require a variance from the State's environmental standards.
15. Maintain and improve the competitive position of the agricultural industry of the State. Protect productive and potentially productive agricultural lands from urbanization.
16. Restrict hotel-resort development to designated areas in each county. Control the maximum number of units in each area in accord with environmental standards.
17. Maintain design controls over visitor destination areas.
18. Encourage continuation of environmentally-compatible Federal activities in Hawaii as a major component of the economic base of the State.
19. Encourage, so they are environmentally compatible, such other industries as fishing, aquaculture, oceanography, recreation and forest industries.
20. Encourage research and development, both as an attractive economic activity and a means of finding ways to improve Hawaii's quality of life.

#### *Community Environments*

21. Maintain an integrated system of state land use planning which coordinates the State and county general plans and reflects their respective needs.
22. Foster a variety of compatible lifestyles with special care to preserve the variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods which respect the culture and mores of the community.
23. Develop communities which provide a sense of identity and social satisfaction in harmony with the environment, and provide internal opportunities for shopping, employment, education and recreation.
24. Assure a safe, sanitary and decent home in an attractive and sound neighborhood to every family in Hawaii.
25. Treat community appearances as major economic and aesthetic assets of the counties and State. Emphasize green belts and planting in urban areas. Respect the integrity of the landscape in urban design. Preserve mountain-to-ocean vistas.
26. Plant and maintain trees, shrubs and flowers at such locations as government and private buildings, exposed parking areas, parks, and along highways and streets. Use native trees, flowers and shrubs for such landscaping.
27. Foster culture and the arts for they are linked to the enhance-



ment of the environment and the Aloha Spirit.

28. Stop noise pollution and land pollution, such as littering, because they rank with air and water pollution as environmental concerns.
29. Provide transportation systems in harmony with these goals and policies because they provide a vital role in the lifestyle and environment of the State.
30. Develop balanced multi-modal transportation systems for people and goods to serve the different requirements of each community.
31. Establish mass transit systems in and between all counties which require it.
32. Prevent environmental degradation caused by the rapidly rising number of motor vehicles and develop strategies to alleviate this impact.
33. Set standards for the design and performance of public and private vehicles and transportation systems to (a) conserve energy, (b) reduce pollution emissions, including noise, (c) provide safe and sympathetic accommodations for their users, and (d) be consistent with these goals and policies.

#### *The Individual*

34. Encourage all individuals in the State to adopt a moral ethic to respect the natural environment and to reduce waste and excessive consumption.
35. Encourage both formal and informal environmental education of all age groups.
36. Provide education in the schools which encourages careers in environmentally compatible fields, including agriculture.
37. Provide for expanding citizen participation in the decision-making process so it continually embraces more citizens and more issues.

#### *SECTION 5. State and county agencies, boards, and commissions.*

In considering ways to implement the policies of Section 4 of this Act:

(a) All State and county agencies, boards, and commissions shall develop standards and procedures necessary to protect environmental quality.

(b) They shall consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

(c) Every State and county agency, board, and commission shall review its present statutory authority, rules, regulations, policies and procedures to determine any inconsistencies or deficiencies in such

provisions which would hinder compliance with the provisions of this Act, and shall propose to the Governor and the Legislature no later than January 1975, any measures necessary to comply with the intent and policies of this Act.

(d) The Environmental Council shall monitor the progress of State and county agencies in accomplishing their assigned environmental functions and shall receive reports from them annually. The Environmental Council shall prepare an annual report to the Governor, the Legislature, and the general public on the status of environmental conditions and recommend additional action that is necessary to protect and enhance the environment.

**SECTION 6. Severability.** If any provision of this Act or the application thereof to any person or circumstance is held unconstitutional, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby, and it shall be conclusively presumed that the Legislature would have enacted the remainder of this Act without such invalid or unconstitutional provision, and to this end the provisions of this Act are severable.

**SECTION 7.** In printing this Act, the revisor of statutes is authorized to designate it appropriately within the Hawaii Revised Statutes.

**SECTION 8.** This Act shall take effect upon its approval.

INTRODUCED BY: \_\_\_\_\_

DATE \_\_\_\_\_  
Honolulu, Hawaii

**SUGGESTED DRAFT H.C.R. or S.C.R. No. \_\_\_\_\_**

### **CONCURRENT RESOLUTION**

REQUESTING THE UNITED STATES OF AMERICA AND ITS VARIOUS GOVERNMENTAL AGENCIES TO COOPERATE WITH THE STATE OF HAWAII AND ITS COUNTIES IN THE FORMULATION AND IMPLEMENTATION OF ENVIRONMENTAL PROGRAMS.

WHEREAS, the State of Hawaii, has adopted an Environmental Policy Act in response to a concern for the protection of the total environment of the Hawaiian Islands; and

WHEREAS, a Temporary Commission on Statewide Environmental Planning has submitted a report containing recommendations for protection and enhancement of the environment of Hawaii and

Federal representatives participated in the preparation of the report; and

WHEREAS, the United States of America carries on a number of programs and projects in Hawaii that have an impact on the environment; and

WHEREAS, the United States of America has ownership or tenure of more than 355,000 acres of land in Hawaii, the use of which is important to the environmental quality of Hawaii; now therefore,

BE IT RESOLVED, that Federal Governmental Agencies operating in the State of Hawaii cooperate with the State and its counties in the formulation and implementation of environmental programs in consonance with the State Environmental Policy Act; and

BE IT FURTHER RESOLVED, that copies of this resolution be mailed to the various Federal agencies operating in Hawaii whose programs and projects may have an impact on the environment.

Offered By: \_\_\_\_\_

Dated: \_\_\_\_\_  
Honolulu, Hawaii

## **SUGGESTED DRAFT S.B. or H.B. No. \_\_\_\_\_**

### **A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY CONTROL**

BE IT ENACTED BY THE LEGISLATURE OF THE  
STATE OF HAWAII:

SECTION 1. Section 341-6 of the Hawaii Revised Statutes is amended to read as follows:

"Sec. 341-6. *Functions of the environmental council.*

The council shall serve as liaison between the director and the general public by soliciting information, opinions, complaints, recommendations and advice concerning ecology and environmental quality through public hearings or any other means and by publicizing such matters as requested by the director pursuant to section 341-4(b) (4). The council may make recommendations concerning ecology and environmental quality to the director and shall meet at the call of the director. The council shall furthermore monitor the progress of State, County, and Federal agencies in achieving the State's environmental goals and policies and shall make a report with recommendations for improvement an-

nually to the Governor, the Legislature, and the public in January of each year. To assist in the preparation of such a report, all State and County agencies shall respond to requests for information made by the Council."

Offered By: \_\_\_\_\_

Date: \_\_\_\_\_  
Honolulu, Hawaii

## **SUGGESTED DRAFT S.C.R. or H.C.R. No. \_\_\_\_\_**

### **CONCURRENT RESOLUTION**

REQUESTING THE AD HOC COMMISSION ON OPERATIONS, REVENUES AND EXPENDITURES TO CONSIDER THE GOALS AND POLICIES OF THE HAWAII ENVIRONMENTAL POLICY ACT.

WHEREAS, a Temporary Commission on Statewide Environmental Planning has submitted a report containing recommendations for the protection and enhancement of the environment of Hawaii; and

WHEREAS, the goals and policies recommended in the report have been incorporated into the Hawaii Environmental Policy Act; and

WHEREAS, it is believed that some of the goals and policies can be achieved more easily by appropriate tax structures to support them; and

WHEREAS, Chapter 341, HRS, already states that the quality of the environment is as important to the welfare of the people of Hawaii as is the economy of the State; now therefore,

BE IT RESOLVED, that the Ad Hoc Commission on Operations, Revenues and Expenditures consider ways of implementing the goals and policies contained in the Hawaii Environmental Policy Act through appropriate revisions in the tax structure and make its recommendations to the Governor and the 1975 Legislature; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Ad Hoc Commission on Operations, Revenues and Expenditures, the Governor, Director of Taxation, and the Director of Budget and Finance.

Offered By: \_\_\_\_\_

Date: \_\_\_\_\_  
Honolulu, Hawaii

**SUGGESTED DRAFT S.B. or H.B. No. \_\_\_\_\_**

**A BILL FOR AN ACT  
RELATING TO THE CREATION OF A STATE  
PLANNING COUNCIL**

SECTION 1. Section 201-28 of the Hawaii Revised Statutes is amended by adding a new paragraph thereto to read as follows:

"*State Planning Council.* There is hereby created a State planning council of ten members to be composed of the director of planning and economic development, the directors of planning of the counties of Hawaii, Maui, and Kauai, the director of general planning and the director of land utilization of the City and County of Honolulu, the director or the chief planning officer of the department of land and natural resources, the chairman of the board of agriculture, the executive officer of the State land use commission, and the state planning coordinator. The council shall elect annually a chairman, with the right to vote, from its members. The council shall meet at least four times a year or more often at the call of the chairman. The members shall serve without compensation but shall be reimbursed for necessary expenses in connection with meetings of the council. The council shall be responsible for bringing about close coordination between State and county agencies engaged in physical and environmental planning. The council shall act as a statewide clearinghouse on planning matters; it shall exercise planning initiative in stimulating new concepts in planning that appear to be of value to Hawaii. The council shall serve in an advisory capacity to the director of planning and economic development in the formulation of the State general plan."

Offered By: \_\_\_\_\_

Date: \_\_\_\_\_  
Honolulu, Hawaii

**SUGGESTED DRAFT S.B. or H.B. No. \_\_\_\_\_**

**A BILL FOR AN ACT  
RELATING TO ENVIRONMENTAL IMPACT  
STATEMENTS**

BE IT ENACTED BY THE LEGISLATURE OF THE  
STATE OF HAWAII:

SECTION 1. *Findings and purpose.* The legislature finds that man's activities have broad and profound effects upon the interrelations of

all components of the natural environment and that the quality of the natural environment is critical to man's well-being. The legislature further finds that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and counties and will serve to alert decision-makers to significant adverse environmental effects which may result from the implementation of certain actions. Finally, the legislature finds that the process of reviewing environmental effects is desirable because: environmental consciousness is enhanced, while cooperation and coordination are encouraged; and public participation during the review process benefits all parties involved and society as a whole.

It is the purpose of this Act to establish a system of environmental review at the State and county levels which will insure that environmental policies of the Legislature are given appropriate consideration in decision-making along with economic and technological considerations.

SECTION 2. Chapter 341, Hawaii Revised Statutes, is amended by adding a new part to read:

**"PART II  
ENVIRONMENTAL IMPACT STATEMENTS**

Sec. -1. *Definitions.* As used in this part unless the context otherwise requires:

(a) 'Acceptance' means a written determination by an agency, board, commission, the governor of the State, or the mayor of a county, that an environmental impact statement meets the requirements of this part.

(b) 'Action' means any program or project initiated by any agency or applicant.

(c) 'Agency' means any department or office of the State or county government which is a part of the executive branch of that government, except the Office of Environmental Quality Control.

(d) 'Applicant' means any agency, board, commission, or person that makes an official request for the approval of a proposed action that is required by law or rules and regulations.

(e) 'Assessment' means an evaluation of a proposed action made for the purpose of determining whether a proposed action may result in significant adverse effects.

(f) 'Board' or 'commission' means any and all boards and commissions established by law.

(g) 'Categorical exemption' means any program or project or classes thereof which has been determined by the director in rules and regulations to have no significant adverse effects.

(h) 'Environmental impact statement' or 'statement' means a written report prepared in compliance with applicable rules and regula-



tions promulgated under section 5 and which discloses the environmental effects of a proposed action, along with alternatives to the recommended course of action.

(i) 'Person' means any individual, partnership, firm, association, trust, estate, private corporation, or other legal entity.

(j) 'Significant adverse effect' means the sum of those effects that degrade the quality of the environment, irrevocably commit a natural resource, curtail the range of beneficial uses of the environment, or serve short-term, to the disadvantages of long-term, environmental goals.

Sec. -2. *Administration.* The director shall administer this part. The director may delegate to any person such power and authority vested in him by this part as he deems reasonable and proper for the effective administration of this part except the power to make, amend, or repeal rules and regulations.

Sec. -3. *Public Records.* All statements prepared under the provisions of this part shall be made available for inspection by the public during established office hours.

Sec. -4. *Requirements.* (a) Whenever an agency proposes an action involving the use of State or county lands or the expenditure of State or county funds, that agency shall make an assessment of such action and determine whether the proposed action may have any significant adverse effects. If it is determined that a proposed action may have significant adverse effects, a statement shall be required and made available for public review. Acceptance of a required statement by the highest elected official of State or counties using such lands or funds shall be a condition precedent to use of such lands or allocation of public funds for the substantive implementation of the proposed action.

(b) Whenever an applicant requests official approval of a proposed action from any agency, board, or commission, the agency, board, or commission shall make an assessment of the proposed action and determine whether the proposed action may have any significant adverse effects. If it is determined that a proposed action may have significant adverse effects, a statement shall be required from the applicant and made available for public review. Acceptance of a required statement by the approving agency, board, or commission shall be a condition precedent to approval and commencement of a proposed action. No statement that is unacceptable to the director shall be accepted by the agency, board, or commission.

(c) Rules adopted pursuant to this part shall:

- (1) provide criteria for the evaluation of proposed actions and for determining the need to prepare a statement;
- (2) provide criteria for evaluating the adequacy of a statement;
- (3) prescribe procedures for the preparation, submission, distri-

bution, review, and acceptance of statements;

(4) prescribe procedures for informing the public of determinations that a statement is either required or not required; and for informing the public of the availability of statements for review and comments; and

(5) prescribe the content requirements of statements.

(d) Whenever there is any question as to which agency, board, or commission has the responsibility of complying with this part with respect to a particular proposed action, the director, in consultation with the agencies, boards, or commissions involved, shall determine which is the responsible entity.

(e) A statement which is accepted with respect to a particular proposed action shall satisfy the requirements of this part and no other statement for that proposed action shall be required; provided that, if the action has not commenced within two years from the time of acceptance, or if there have been substantial changes to such proposed action since the time of acceptance, then, upon the request of the acceptor, a new statement, revision, or review may be required.

(f) Whenever an action is subject to both the National Environmental Policy Act of 1969 (Public Law 91-190) and the requirements of this part, a draft statement for such action shall be submitted to the office for distribution, review, and evaluation at least 30 days prior to submission to the President's Council on Environmental Quality. Also, a final statement for such action shall be first accepted by the Governor prior to submission to the President's Council on Environmental Quality.

Sec. -5. *Powers and duties of the director.* (a) The director may make, amend, and repeal rules and regulations to implement the provisions of this part. All rules and regulations shall be adopted subject to Chapter 91, Hawaii Revised Statutes.

(b) The director shall prepare rules and regulations to implement the provisions of this part. At least one public hearing shall be held in each county prior to the final adoption of any rules or regulations. The final rules and regulations shall be adopted within a period of not more than 150 days from the effective date of this Act.

(c) The director shall:

- (1) establish within the office a systematic procedure for receiving, distributing, and evaluating all statements required by this part;
- (2) insure that the review and evaluation process will be compatible with the National Environmental Policy Act of 1969 (Public Law 91-190) and related directives;
- (3) provide for the timely publication of any determination that no statement is required, or that a statement has been accepted;
- (4) testify at public hearings regarding the adequacy of state-

ments received by the office, when appropriate;

(5) in his discretion, provide for special review of statements by a committee of the environmental council;

(6) provide for agencies and applicants to be exempt from the provisions of this part if the director determines that immediate action is necessary due to emergency conditions or that the public health, safety, and welfare would be endangered;

(7) prepare a list or summary of all proposed actions for which statements have been prepared. Such lists or summaries shall be made available to the public on a timely basis; and,

(8) provide the procedure whereby the environmental effects of a group of proposed actions planned together may be treated by a single statement for the group of proposed actions.

(d) The director, after consultation with agencies, boards, or commissions, may identify and establish categorical exemptions, provided that such categorical exemptions shall be adopted as rules and regulations.

*Sec. -6. Powers and duties of agencies, boards and commissions.*

(a) No agency, board, or commission shall promulgate rules and regulations pursuant to this part unless in conformance with this part and any rules and regulations promulgated by the director.

(b) Agencies, boards, and commissions shall insure that comments, recommendations, and opposing views received during the review process are addressed or incorporated in statements.

(c) Agencies, boards, and commissions are authorized to accept or not accept statements required for any applicant.

*Sec. -7. Injunctive relief.* The director or any person with standing may institute a civil action in any court of competent jurisdiction for injunctive relief from any violation of this part or any rule or regulation made thereunder. The court shall have power to grant relief in accordance with the Hawaii Rules of Civil Procedure.

*Sec. -8. Limitation of actions.* No court action, the subject of which is the failure to satisfy the requirements of this part, shall commence before, and in no case later than 60 days after, publication by the director that: (1) a determination has been made that no statement is required; or (2) a statement has been accepted. If the subject of a court action is the acceptance of a statement, only parties who provided comments to a statement during the designated review period shall have standing. Such standing is limited to the contents and provisions of submitted comments.

*Sec. -9. Severability.* If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this part which can be given effect without the invalid provision or application,

and to this end, the provisions of this part are declared to be severable."

*SECTION 3. Appropriations.* There is hereby appropriated to the office of the Governor out of the general revenues of the State, the sum of \$75,000 for fiscal year 1974-75, or so much thereof as may be necessary, to implement the purposes of this Act.

*SECTION 4. Retroactivity.* This Act shall take effect upon its approval. This Act is not retroactive and shall apply only to those actions which have not received all necessary approvals from agencies, boards, or commissions, or official authorized to approve actions covered by this Act as of the effective date of rules and regulations adopted pursuant to this Act.

## SOME INDICATORS OF OVERLOAD

A number of comments were made at the public meetings which indicate that there may be at present an "overload" of public facilities and systems in certain areas of the State to adequately service the present population in those areas. The data listed below may be indicative of the possible overload.

### RAPID POPULATION GROWTH ON OAHU

Year		Projections	
		DPED	City Planning Dept.
1940	257,696		
1950	353,020		
1960	500,409		
1970	630,528		
1980	—	735,000	672,800 to 809,300
1990	—	859,000	915,400 to 1,289,000
2000	—	990,000	1,226,000 to 2,010,000

### HOUSING SHORTAGE ON OAHU

New Housing Units Needed for Oahu between 1970 and 1975	
Purpose	# of Units needed
Required to house new households	14,002
Required to raise the vacancy rate to normal	4,501
Required to replace units lost through demolition	4,050
Required to replace dilapidated units	2,795
<b>TOTAL NUMBER REQUIRED</b>	<b>24,898</b>

Source: Marshall Kaplan, Gans, Kahn & Yamamoto

**DAILY REFUSE, FOR OAHU: 1970**  
(Excludes agricultural and military refuse.)

Kind of refuse	Tons
Total refuse .....	2,236
Combustible:	
Paper .....	635
Trimming's .....	362
Rags .....	23
Wood .....	494
Food .....	51
Plastics and miscellaneous .....	20
Non-combustible:	
Metal .....	127
Glass .....	63
Demolition material .....	461

Source: Metcalf & Eddy, *Solid Waste Management Plan for City and County of Honolulu* (July 1971), p. 61.

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**AUTOMOBILES AVAILABLE AND MEANS OF TRANSPORTATION TO WORK: 1960 AND 1970**

Number of automobiles available	Households		Means of transportation to work	Workers	
	1970	1960		1970	1960
All households .....	203,089	153,012	All workers <sup>1</sup> .....	327,310	248,406
None .....	22,170	25,871	Private automobile, driver .....	213,521	
One .....	93,854	88,320	Private automobile, passenger .....	44,493	156,992
Two .....	69,343	32,577	Bus .....	19,470	20,039
Three or more .....	17,722	6,244	Walked only .....	33,003	22,214
			Other means .....	11,296	10,173
Percent, two or more .....	42.9	25.4	Worked at home .....	5,527	32,843

<sup>1</sup>Includes not reported (6,145 in 1960).

Source: *U.S. Census of Housing: 1960*, Final Report HC(1)-13, table 6; *U.S. Census of Population: 1960*, Final Report PC(1)-13C, table 64; *U.S. Census of Housing: 1970*, Final Report HC(1)-B13, table 36; *U.S. Census of Population: 1970*, Final Report PC(1)-C13, table 50.



# **NATIONAL, STATE, AND COUNTY PARKS: 1971-1972**

National park				Acreage (Dec. 31, 1972)		Total visits	
				Federal	Non-Federal	1971	1972
Hawaii Volcanoes National Park .....				217,030	12,625	980,744	1,389,144
Haleakala National Park .....				21,190	6,093	254,701	305,489
City of Refuge National Historical Park .....				181	—	243,404	351,448
Puukohola Heiau National Historic Site .....				Authorized but not yet established			
County	State parks					County parks: Dec. 31, 1972	
	Number of areas, June 30, 1972	Acreage, June 30, 1972		Visits, years ended June 30 (in thousands)		Number of areas	Acreage
		Total	Developed	1971	1972		
Total .....	46	15,999.5	543.1	13,007	9,798	479	6,662
Hawaii .....	13	1,763.9	221.1	2,205	2,151	90*	1,155*
Maui .....	11	420.8	47.0	1,112	1,144	56	522
Honolulu .....	15	5,930.2	112.8	3,644	3,578	283	4,489
Kauai .....	7	7,884.6	162.2	6,046	2,925	50	496

\*Dec. 31, 1971 data.

Source: U.S. Department of the Interior, National Park Service, records; Hawaii State Department of Land and Natural Resources, *Report to the Governor 1971-1972*, pp. 87-88; County parks departments, records.

## **RAPID GROWTH OF MOTOR VEHICLE REGISTRATION ON OAHU**

Year	Motor Vehicles
1940	48,539
1950	98,134
1960	178,388
1970	318,553
1972	341,973

Source: DPED

# AIR POLLUTANT EMISSIONS, BY SOURCE AND COUNTY: 1970

(In tons per year)

Source or county	Sulphur oxides	Particulates	Carbon monoxide	Hydro- carbons	Nitrogen oxides
Total .....	58,000	78,000	636,000	145,000	77,000
Source:					
Motor vehicles .....	1,000	1,420	413,500	67,900	40,700
Aircraft .....	570	1,390	4,570	3,810	1,250
Vessels .....	1,490	160	400	100	610
Other transportation .....	420	240	3,040	3,460	3,220
Fuel combustion in stationary sources .....	53,000	25,000	1,550	3,200	25,000
Residential, commercial, institutional .....	12,200	490	83	170	3,470
Industrial .....	12,000	910	11	160	3,000
Agricultural .....	2,550	22,800	1,450	2,200	3,900
Steam-electric utilities .....	26,200	1,150	6	700	14,800
Solid waste disposal .....	400	5,800	24,600	8,700	1,900
Industrial process losses .....	1,280	11,800	270	20,200	200
Agricultural .....	(N)	31,900	188,000	37,600	3,740
County:					
City and County of Honolulu .....	50,500	29,300	396,000	91,700	58,400
Hawaii County .....	3,000	22,800	97,400	21,800	8,100
Kauai County .....	1,200	11,900	55,600	12,200	3,900
Maui County .....	3,400	14,000	86,600	19,200	6,200

N Negligible.

Source: Hawaii State Department of Health, Air Sanitation Branch, *Summary of Air Pollutant Emissions in the State of Hawaii, 1970* (table).

# AIRLINE AND SHIP REVENUE PASSENGERS: 1860 TO 1972

Year	Ship passengers			Airline passengers			
	Inter-island: arrivals <sup>1</sup>	Transpacific <sup>2</sup>		Inter-island: arrivals <sup>3</sup>	Transpacific <sup>4</sup>		
		Arrivals	Departures		Arrivals	Departures	Through
1860 .....	38,000	685	663	—	—	—	—
1866 .....	(NA)	905	681	—	—	—	—
1870 .....	(NA)	1,448	1,047	—	—	—	—
1875 .....	(NA)	850	654	—	—	—	—
1880 .....	(NA)	5,593	1,928	—	—	—	—
1885 .....	(NA)	7,140	3,588	—	—	—	—
1890 .....	(NA)	7,087	3,923	—	—	—	—
1895 .....	(NA)	8,090	4,636	—	—	—	—
1899 .....	(NA)	32,725	9,063	—	—	—	—
1905 .....	(NA)	(NA)	(NA)	—	—	—	—
1910 .....	62,236	15,876	13,302	—	—	—	—
1915 .....	67,787	12,665	13,555	—	—	—	—
1920 .....	95,237	13,766	16,404	—	—	—	—
1925 .....	103,003	31,877	24,672	—	—	—	—
1930 .....	143,806	36,000	34,000	10,356	—	—	—
1935 .....	112,091	37,096	40,328	13,355	—	—	—
1940 .....	158,328	50,401	44,181	28,624	639		
1945 .....	13,217	(NA)	(NA)	170,437	(NA)		
1950 .....	—	17,821	17,822	438,938	44,815	48,188	25,735
1955 .....	—	26,353	23,739	619,486	114,104	117,319	59,128

NA Not available.

<sup>1</sup>Calendar year 1860, years ended June 30, 1910-1935, and calendar years thereafter. The 1860 figure is an estimate based on 1861 data for Honolulu. Except for limited accommodations aboard freighters, scheduled interisland passenger service was discontinued in January 1949.

<sup>2</sup>For the Port of Honolulu only. Calendar years 1860 to 1899, years ended June 30, 1911 (for 1910) and 1915 to 1925, calendar year 1930, and years ended June 30, 1935 and thereafter. Data exclude through passengers.

<sup>3</sup>Calendar years. Includes air taxi. Includes nonrevenue passengers beginning in 1970. Service began in 1929.

<sup>4</sup>Calendar year data for all airports. Includes nonrevenue passengers beginning in 1970. Treatment of through passengers was apparently changed after 1959 and again after 1969. Scheduled service began in Honolulu in 1936 and Hilo in 1967.

Source: Hawaii State Department of Planning and Economic Development, *Passenger Statistics of Hawaii* (Statistical Report 75, August 25, 1970), as corrected; Hawaii State Department of Transportation, records.



# AIRLINE AND SHIP REVENUE PASSENGERS: 1860 TO 1972

Year	Ship passengers			Airline passengers			
	Inter-island: arrivals <sup>1</sup>	Transpacific <sup>2</sup>		Inter-island: arrivals <sup>3</sup>	Transpacific <sup>4</sup>		
		Arrivals	Departures		Arrivals	Departures	Through
1960 .....	—	43,862	37,041	955,610	367,513	373,672	44,404
1961 .....	—	35,700	32,402	939,336	422,657	443,686	59,729
1962 .....	—	36,781	30,144	979,756	508,025	501,499	74,552
1963 .....	—	35,136	27,624	1,144,265	595,350	593,917	106,473
1964 .....	—	30,738	25,439	1,340,996	706,821	694,711	114,727
1965 .....	—	29,868	24,122	1,538,392	833,415	828,967	131,873
1966 .....	—	29,612	24,899	1,754,970	1,000,687	973,158	151,634
1967 .....	—	28,830	24,046	2,117,557	1,285,210	1,252,700	162,119
1968 .....	—	26,603	22,496	2,347,949	1,358,335	1,307,447	183,864
1969 .....	—	24,089	21,339	2,724,622	1,766,720	1,769,087	270,340
1970 .....	—	13,267	13,699	2,992,777	2,190,809	2,158,577	893,890
1971 .....	—	8,943	8,024	3,380,031	2,296,119	2,304,570	729,237
1972 .....	—	(NA)	(NA)	4,093,338	2,540,472	2,550,199	733,362

NA Not available.

<sup>1</sup>Calendar year 1860, years ended June 30, 1910-1935, and calendar years thereafter. The 1860 figure is an estimate based on 1861 data for Honolulu. Except for limited accommodations aboard freighters, scheduled interisland passenger service was discontinued in January 1949.

<sup>2</sup>For the Port of Honolulu only. Calendar years 1860 to 1899, years ended June 30, 1911 (for 1910) and 1915 to 1925, calendar year 1930, and years ended June 30, 1935 and thereafter. Data exclude through passengers.

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Source: Hawaii State Department of Planning and Economic Development, *Passenger Statistics of Hawaii* (Statistical Report 75, August 25, 1970), as corrected; Hawaii State Department of Transportation, records.

# MODE OF TRAVEL AND VISITOR STATUS OF PASSENGERS ARRIVING IN HAWAII: 1951 TO 1972

Year	All arriving passengers	Mode of travel		Direction of travel		Visitor status of westbound arriving passengers <sup>1</sup>				
		Air	Surface	Westbound	Eastbound or northbound	Visitors destined to Hawaii	Visitors destined beyond		Returning residents	Intended residents
							Overnight or longer	Transits		
1951 .....	130,437	90,074	40,363	93,002	37,345	43,426	3,994	12,917	16,600	5,853
1952 .....	141,192	104,539	36,653	106,130	35,062	49,432	5,280	15,952	16,708	6,684
1953 .....	163,305	120,739	42,566	126,478	36,827	66,296	5,956	16,992	17,740	6,472
1954 .....	186,008	137,991	48,017	141,503	44,505	74,452	7,224	19,584	19,972	5,852
1955 .....	232,060	176,653	55,407	175,369	56,691	89,772	8,316	31,312	21,996	8,332
1956 .....	272,619	215,033	57,586	203,644	68,975	102,352	12,524	36,012	24,100	11,268
1957 .....	353,590	268,207	85,383	261,282	92,308	128,832	13,468	46,924	28,768	16,676
1958 .....	363,848	279,768	84,080	263,193	100,655	123,576	19,465	38,425	35,888	16,412
1959 .....	452,417	370,072	82,345	336,090	116,327	177,550	30,185	38,714	36,100	18,825
1960 .....	532,547	449,052	83,495	399,804	132,743	213,670	36,475	43,439	38,630	15,030
1961 .....	615,209	532,182	83,027	448,546	166,663	202,850	45,825	47,155	43,590	16,715
1962 .....	690,378	606,972	83,406	497,035	193,343	219,005	60,625	42,690	53,800	21,070
1963 .....	790,378	708,257	82,121	574,984	215,394	258,765	73,915	38,860	54,140	20,200
1964 .....	909,436	832,075	77,361	681,391	228,045	359,554	100,736	110,034	83,313	27,446
1965 .....	1,064,657	988,892	75,765	814,624	250,033	460,603	106,615	118,020	99,792	28,973
1966 .....	1,279,151	1,200,697	78,454	974,419	304,732	558,388	128,498	137,136	117,605	32,031
1967 .....	1,562,414	1,482,884	79,530	1,215,974	346,440	754,910	138,193	147,136	130,995	44,117
1968 .....	1,683,326	1,608,706	74,620	1,348,112	335,214	869,116	146,728	148,802	140,592	42,236
1969 .....	1,941,638	1,876,821	64,817	1,566,013	375,625	1,008,802	172,227	190,710	152,404	41,162
1970 .....	2,219,559	2,174,303	45,256	1,734,560	484,999	1,170,897	206,849	201,589	179,461	41,828
1971 .....	2,500,462	2,455,147	45,315	1,903,130	597,332	1,207,898	222,457	268,001	162,967	41,562
1972 .....	3,053,557	3,013,488	40,069	2,308,712	744,845	1,540,268	242,469	309,595	171,772	44,388

<sup>1</sup>Data for 1951-1963 are limited to passengers reporting their visitor status. Data for 1964 and later years include estimates for unsurveyed passengers, and hence are not directly comparable to the data for 1951-1963. (Unrevised 1964 data showed 316,550 visitors destined to Hawaii, 125,130 visitors destined beyond Hawaii, 73,060 returning residents, and 24,040 intended residents.) A small number of surveyed but unclassified passengers are omitted for all years. Total westbound passenger arrivals, including unsurveyed and unclassified, are shown elsewhere in this table, under "direction of travel".

Source: Hawaii Visitors Bureau, *Annual Research Reports*, 1952-1971, *Revised Visitor Statistics*, 1964-1970 (July 1971), as corrected, and records.

# DISSENTING STATEMENTS AND OPINIONS

Though the Temporary Commission was able to come to agreement unanimously on the vast majority of recommendations contained in this report, there were some members of the Commission who held differing opinions on some points and issues. Stated hereunder are the dissenting opinions.

1. The requirement for an environmental impact statement and the right of standing to sue should be a part of the environmental policy of the State of Hawaii.—Representative Jean S. King

2. In the Introduction, item 6, change "assessments" to "impact statements".—Representative Jean S. King

3. In the section on The Danger of Overload, Critical Areas, add these sentences: "Specific processes directed to those areas must be enacted. Such processes should select out those new projects and migrations that can survive a general presumption against growth, until such time as by objective measures Hawaii can again be declared safely as being not at overload".—Representative Jean S. King.

4. In the section on The Danger of Overload, Technology, strike the last sentence of the paragraph which reads: "Any growth in population must be matched by growth of this new technology".—Representative Jean S. King

5. In the section on Implementing Recommendations, item 7, add a new paragraph "f" to read as follows:

"f. Strengthen the State planning function by establishing a State Planning Department in the Governor's office which would prepare the State General Plan in conjunction with the counties and coordinate all State activities so they conform to that plan".—Representative Jean S. King

6. In the section on Implementing Recommendations, add a new item 12 to read as follows: "Establish an expanded statewide computer data retrieval system to enable processing of necessary data".—Representative Jean S. King.

7. In the section on Implementing Recommendations, Citizens' Standing to Sue, insert the following sentence after the second paragraph: "It should be noted that the Commission's national consultant, Dr. Paul Ylvisaker, strongly urged that the Commission make the standing to sue part of the proposed environmental policy of the State".—Representative Jean S. King

8. In the Appendix, the draft Bill for an Act Relating to Environmental Policy, change the paragraph on Overload to read:

"The Legislature recognizes that the condition of overload is not simply that of population density. If treated properly, the natural environment can tolerate, and people can benefit from, a wide range of human numbers. But because parts of our environment currently are at overload, Hawaii must pause or slow-down its growth in population, temporary as well as permanent".—Representative Jean S. King

9. In the same draft bill where areas of overload are listed, add this sentence before the list: "In these areas a new project or migration to proceed must survive a general presumption against growth, until such time as by objective measures Hawaii can again be declared safely as being not at overload".—Representative Jean S. King

10. In the same draft bill, following the above cited paragraph, change item (4) to read as follows: "The carrying capacity of our environment is not only a function of how many people we accommodate, but it is also directly related to consumption practices. Our consumption practices can be changed. The Legislature also believes that the technology we use to gratify human desires and meet basic human needs can be improved to meet society's needs and desires, while still protecting the natural environment".—Representative Jean S. King

11. In the same draft bill, the policies on Conservation, the first one should be preceded by this sentence: "Compile and maintain data as to the nature and extent of all natural resources".—Representative Jean S. King

12. It was suggested that the amendment to the State Constitution on environmental concerns be rephrased and shortened to read:

"Section 6. The State shall provide for the quality of the environment".—Councilman George Akahane

13. The need to update State general planning legislation is recognized. Whether a "State General Plan" is required for an effective State planning process is an issue in professional circles yet to be resolved. In any case, such a Plan, adopted by Resolution, could lead to a false sense of security; the 1961 General Plan was so adopted. Adoption by statute is not a viable alternative either.—Edward J. Greaney, Jr., Deputy State Director of Planning and Economic Development.

14. The following statement was submitted by Mr. Robert R. Way, Chief Planning Officer, City and County of Honolulu.

"It will be recalled that at an early meeting of the Temporary Commission, I presented two statements to the TCEP. They were dated May 29, 1973. The first covered a statement on an approach as to how the Commission might proceed. The second

was a statement in connection with the Commission's role and function. Copies of these two statements are attached.

Briefly summarized, my views, at this time, are as follows:

1. I believe that the positions expressed in the two statements attached are still valid. More specifically, my concerns have been realized. The "process" through which the Commission undertook its work has not produced valid policies. It has produced simply a "wish list" of what the "environment" should be like. It has also proposed actions on matters that we have no control over.

2. The approach, findings, and recommendations are not realistic in terms of how government does its business. They do not provide an adequate basis for orienting or initiating government programs and activities. There are major conflicts between the various "goals", "policies", and other statements. These conflicts reduce the lofty-sounding statements to mere platitudes. The reason for this is there is a totally inadequate technical basis for the statements. They have no relationship to costs, benefits, or an analytical foundation in social and economic impact. What are the trade-offs? What are the alternatives? What are the consequences? These vital questions are left unanswered and unaddressed. Many statements are so vague and contradictory as to make them inoperable. Other statements are specific far beyond the analysis used to establish the level of detail proposed.

Another rather fundamental point relating to the process which I have touched upon previously, but feel should be elaborated here, is that there are no stated criteria for evaluating the various proposals that have been set forth. It seems to me that this is another significant technical omission and relates to thoughts expressed in my suggestions for a method of approaching the work of the Temporary Commission. This omission raises the question of how the "decisions" were made.

3. With reference to the bills proposed in the report, the linkage between the expressions of policy is not made explicit. Put another way, *how* do the proposed laws relate to the findings or policy statements of the Temporary Commission? Until such relationships and alternatives are shown, it is not possible to evaluate the merits of the proposed bills.

4. Finally, I am concerned that the approach was to group major issues in the community for reconciliation under the so-called umbrella of environmental protection. Considerations of environmental issues are important. However, they should not be the basis under which all planning should take place. Rather,

concerns for the environment should be a part of a truly comprehensive planning process. Any attempts to view the question otherwise is simply a distortion and represents an imbalance in the true perspective of how to approach and deal with issues. The rationale for developing policies for virtually all major governmental concerns under the umbrella of environmental issues, which are as yet quite undefined, is quite questionable—is the tail wagging the dog?

In conclusion, it should be made quite clear that I am *not* in disagreement with the objective of addressing the matter of examining *how* we deal with environmental concerns. However, the process which was undertaken is defective. This is a point that I have attempted to make on numerous occasions. There have been inadequate human and financial resources devoted to the effort and the effort lacked sufficient and adequate technical guidance and direction. As a consequence, the product's usefulness is questionable."

#### **STATEMENT OF POSITION IN CONNECTION WITH THE WORK OF THE TEMPORARY COMMISSION ON STATEWIDE ENVIRONMENTAL PLANNING**

**Robert R. Way, Planning Director  
City and County of Honolulu**

The purpose of this statement is to put together some thoughts in connection with the Temporary Commission's role and function.

As I see it, the purpose of the Temporary Commission is to "integrate the development of policies" with the objective being achieving the goal of preserving "the quality of our environment and life styles in Hawaii."

The proposal is that the Temporary Commission would develop policies for some nine elements set forth under the broad umbrella of "environmental protection." This is to be done by November 1, 1973.

There is no question that policies for the various "elements" are interrelated. It can, therefore, be concluded that the *concept* of the proposal has validity.

*While the concept is valid, the proposed "process" will not yield valid policies, but simply a "Christmas list" of what the "environment" should be like.*

This approach has no relation to reality in government and certainly does not provide an adequate basis for orienting or initiating government programs and activities. It will soon be found that there



are major conflicts between the various "goals," "policies," and other statements of objectives.

The second thought is one in the form of a question as to the rationale for developing policies for all of the nine identified, major governmental concerns under the umbrella of "environmental protection." These environmental protection concerns are as yet quite undefined and, therefore, the question is raised: "Is the (environmental) tail wagging the (government decision-making process through planning) dog?"

### **STATEMENT ON THE METHOD OF APPROACH FOR THE TEMPORARY COMMISSION ON STATEWIDE ENVIRONMENTAL PLANNING**

**Robert R. Way, Planning Director  
City and County of Honolulu**

I have felt it worthwhile to set down some thoughts as to how the Commission might approach its tasks.

*First*, it must be stated that there is a question as to just what the specific tasks of the Commission might or *should* be.

There is no question that concerted effort toward resolving problems in environmental protection is worthwhile. The problem is how to develop a rational basis for effective coordination.

I think it is, first, necessary to define much more specifically what is to be accomplished.

*Second*, I think there needs to be a better definition and understanding of what the Commission's function should be.

*Third*, I think it is important to define what the products of the Commission's efforts would be. If the Commission is intended to develop policies for a number of issues, then I must question the feasibility of the proposed structure.

*We now have in the State and in the Counties, planning processes and procedures designed to formulate policies.* It is through this process that new policies for the City and County, for example, *must* be developed and existing policies changed. This is not to be construed to imply that it is undesirable to work toward improvement of the *planning process*, possibly even through such a Commission, to insure that environmental protection matters are taken into account. *How this will be accomplished is my concern.*

Finally, I think it is essential to define and understand *how* the products of the Commission would be developed.

It seems to me, only after we know (1) what is to be accomplished; (2) the functions of the Commission; (3) the products of its efforts; and (4) how these products would be developed, will we be on the right track toward a productive effort in looking at the matter of environmental concerns.

## **ILLUSTRATIVE STRATEGIES**

The Temporary Commission reviewed many reports and received numerous recommendations on specific actions or programs. However, it was the decision of the Commission that it should not specifically recommend a list of detailed programs of actions; there was not sufficient time to evaluate them carefully. Rather, it is more appropriate to list herein the many kinds of strategies that could be developed into specific legislation, actions, or programs. Those listed hereunder are for purposes of illustration only. Some are in direct conflict with each other. They contain a wealth of ideas for future public discussion. After the basic goals and policies recommended in this report are enacted into law as the environmental policy of the State, it would then be appropriate to consider enacting the kinds of strategies illustrated here. Sources are given for the strategies listed; TCEP stands for the Temporary Commission on Environmental Planning. It should be noted that the source, "The Use of Land," is a recently published book, a Task Force Report sponsored by the Rockefeller Brothers Fund. The chairman of the Task Force was Mr. Laurance S. Rockefeller; the deputy chairman was Dr. Paul N. Ylvisaker, who was the national consultant to TCEP on this report.

### **CONSERVATION**

1. Consider the following for protection and conservation as natural resources:
  - a. Areas necessary for the protection and propagation of specified endangered native wildlife, and conservation for natural ecosystems of endemic plants, fish and wildlife.
  - b. Lands necessary for the preservation of forests, park lands, wilderness and beach areas.
  - c. Lands with a general slope of 20 percent or more which provide open space amenities or possess unusual scenic qualities.
  - d. Lands necessary for the protection of watershed, water sources and water supplies.(Source: Hawaii County General Plan)
2. Enact and enforce legislation to provide for the early identification and protection of endangered species. (Source: President Nixon's 1972 Environmental Program)

3. Vigorously implement Act 135 (1970) establishing a Natural Area Reserves System, Act 195 (1970) establishing an Animal Species Advisory Commission to control exotic species, and Act 49 (1972) to protect indigenous and endangered birds and mammals and their associated ecosystems. (Source: Audubon Society)
4. Provide protected refuges that cannot be altered by executive or departmental order. (Source: Audubon Society)
5. Convert game management and range management practices to a vegetation carrying capacity basis. (Source: Botanical Society)
6. Develop standards for determining the number of animals that will be allowed to occupy any area. (Source: Bishop Museum)
7. Conduct research on the dynamic interaction between native and exotic plants and develop policies to preserve and retain relatively undisturbed native ecosystems in their present state. (Source: Botanical Society)
8. Set aside representative ecosystems on each island as protected reserves of sufficient size to ensure preservation of the bulk of the remaining life and characteristics of living communities in perpetuity. (Source: Bishop Museum)
9. Prohibit the importation of any animals or plants, detrimental or potentially harmful to agriculture, horticulture, health or natural resources. (Source: Botanical Society) Note: This is already prohibited by Act 69/1973.
10. Expand the system of underwater parks and preserves. (Source: State Report: "Hawaii and the Sea") Note: Also protect the individual's right to go fishing.
11. Prohibit interference with free public access to the shorelines and establish a major program of public acquisition of shore areas. (Source: Travel Industry Congress)
12. Establish and preserve free access by the public to the State's shorelines and publicly-owned recreational lands in mauka areas. (Source: Sierra Club)
13. Develop and keep active a comprehensive plan, with responsibility clearly designated, for sensing and quickly responding to the emergency created by the spill of oil or other hazardous material into water. (Source: "Hawaii and the Sea" report)
14. Prevent the further deterioration of fresh water aquifer systems through sea water encroachment as a result of overdraft. (Source: Theodoru H. Hufen)
15. Identify lands and set them aside for true preservation with limited use permitted—examples being wildlife preserves, bird sanctuaries, representative scenic and historic areas, historic sites, critical watershed areas and wilderness areas. (Source: League of Women Voters)
16. Insure through legislation and funding the preservation and restoration of properties of substantial architectural, cultural, historical, aesthetic and social significance with adequate provision for the protection of property owners' rights. (Source: Chamber of Commerce of Hawaii)
17. Provide for dedication as historic buildings for tax relief purposes historic property that could remain in private commercial use. This dedication would be based on the "public benefit" concept which should be equated with "public use." (Source: Historic Buildings Task Force)
18. Seek new tools for preservation, such as the transfer of air rights over historic landmarks. (Source: Historic Buildings Task Force)
19. In evaluating and protecting historic sites, give preference to those with a preponderance of original materials in context and to complexes rather than single isolated sites unless they are of great significance. (Source: Hawaii County General Plan)
20. Restore significant historic sites on public lands. Also encourage restoration on private lands. (Source: Hawaii County General Plan)
21. Provide for beach replenishment and sand erosion control. (Source: Hawaii County General Plan) Note: The best means of beach conservation is often prohibition of sand removal and prohibition of construction in the active beach zone. (Source: Dr. Doak Cox)
22. Implement sewage treatment plans. (Source: Malacological Society)
23. Support research and development on natural energy sources such as wind, wave, solar radiation, ocean temperature differential, and geothermal. (Source: U.H. College of Engineering)
24. Enact State legislation for soil erosion and sediment control. (Source: TCEP)
25. Enact the Model State Act for soil erosion and sediment control as adapted to Hawaii. (Source: Soil Conservation Society)
26. Forbid the introduction of new animal species to Hawaii for hunting. (Source: Audubon Society)
27. Exterminate exotic animals in endangered native ecosystems such as the koa mountain parkland on the Big Island. (Source: Botanical Society)
28. Establish a policy of retaining native forests and replanting de-

- nuded areas or areas of introduced trees with native trees. (Source: Bishop Museum)
29. Where commercial forestry with exotic trees is proved feasible, establish tree plantations only in areas which have been previously cleared, not in primary native forests. (Source: Botanical Society)
  30. Declare surfing sites as ocean parks subject to permanent conservation. (Source: Save Our Surf)
  31. Require on all publicly-owned shoreline lands which are less than fully developed, irrespective of zoning or land use classification, there should be 300 feet of open space dedicated to public use; and that this setback be measured from the most inshore or on-record line of wave action, or from the top of the pali landward should that type of topography be involved. (Source: State report, "Hawaii and the Sea")
  32. Terminate or prohibit all shoreline construction from the 40-foot setback line to the three-mile offshore limit, unless authorized by specific legislative act. (Source: Save Our Surf)
  33. Extend the shoreline setback provided by Act 136/1970 from 40 feet to 1,000 feet. (Source: Save Our Surf)
  34. Prohibit all shoreline building which is not water-related. (Source: Outdoor Circle)
  35. Declare all fishponds to be State Treasures to be preserved in perpetuity. (Source: Save Our Surf)
  36. Place the entire burden of proof on any person or corporation which would destroy, remove or change any aspect of Hawaii's cultural heritage, including wildlife, native plants and trees, and land forms. (Source: Sierra Club, Hawaii Chapter)
  37. Redefine the "highest and best use" tax concept as applied to assessment of historic property. Give special tax consideration to properties zoned by counties as historic. (Source: Historic Buildings Task Force)
  38. Restrict removal of newly-found Hawaiian artifacts from the State and declare them to be the property of the State. (Source: Travel Industry Congress) Note: This may be unconstitutional.
  39. Require developers of land, either public or private, to provide a historical survey prior to clearing or development of land when there are indications that the land under consideration has historical significance. (Source: Hawaii County General Plan)
  40. Acquire public access to significant historic sites and objects. (Source: Hawaii County General Plan)
  41. It is time that the U.S. Supreme Court re-examine its precedents

- that seem to require a balancing of public benefit against land value loss in every case and declare that, when the protection of natural, cultural, or aesthetic resources or the assurance of orderly development are involved, a mere loss in land value is no justification for invalidating the regulation of land use. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
42. Historic properties are vulnerable to the same threats as open space, and their preservation often poses the same buy-it-or-lose-it dilemma to local authorities. We see historic districts and buildings benefiting from the approach and many of the techniques we recommend for protecting privately owned open space, an approach based primarily on regulation, not purchase. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  43. We need broadened classifications for historic areas. Present criteria for listing in *The National Register of Historic Places* are that the area possess integrity of location, design, setting, materials, workmanship, feeling, and associations and represent a significant and distinguishable entity. These criteria discriminate against areas with a stylistic mixture, areas that can often support a varied rent structure and provide a refreshing diversity of uses and people. We urge that urban neighborhoods characterized by a mix of uses, a vitality of street life, and a physical integrity be recognized on the *National Register* as "conservation areas." (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  44. State legislation and local regulations should assure that adequate public accessways exist before allowing the subdivision or development of private property adjacent to public beaches and waterfronts. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  45. Federal estate tax laws and regulations should be amended to permit the transfer to the federal government of land determined by the Secretary of the Interior to be of national significance, with the fair market value of the land offset against federal estate tax liabilities. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  46. Since it is neither feasible nor acceptable for governments to acquire the vast agricultural and natural areas that ought to be conserved within future urban regions, mechanisms to protect privately held open space are essential. Without such mechanisms, even moderate objectives of protection programs are unlikely to be achieved. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  47. State and local legislative bodies should continue to adopt stringent planning and regulatory measures whenever they believe

them fair and necessary to protect natural, cultural, and aesthetic values. This legislation, in addition to its direct benefits, can help create a climate of opinion in which lawmakers and judges will regard strong, needed restrictions as a proper exercise of governmental power. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")

48. For historic preservation, as for open space protection, the first requisite is a framework for regulation, preferably a statewide system for registration of historic districts and properties and a clear policy favoring preservation. States should enact appropriate legislation to implement the Model State Guidelines for Historic Preservation recommended by the Council of State Governments among its 1972 suggested legislative proposals. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
49. State as well as local governments should establish protective regulations to prevent development that would be incompatible with open space needs in critical agricultural and environmental areas. Where protected areas are carefully selected through comprehensive planning, states should authorize and encourage, in appropriate cases, very low density zoning, including, for example, requirements for 50 or more acres per dwelling unit. Enactment of pending national land-use policy legislation is urgently recommended as a means to encourage state and local regulation in a balanced framework that is respectful both of conservation and development priorities. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
50. Limit shell collecting. (Source: Citizen comment)

## POPULATION

NOTE: The new Commission on Population and the Hawaiian Future established by the 1973 Legislature will be a permanent 11-member body to give guidance in this area.

1. Develop alternative population policies, and careful analyses of their consequences so that citizens can make an enlightened policy choice. (Source: Chamber of Commerce of Hawaii)
2. Maintain a continuing program of research on migration to and from the State, including detailed data on migrants plus the reasons for migration. (Source: Citizens for Hawaii)
3. Study conditions under which the State might constitutionally control migration. (Source: Citizens for Hawaii)
4. Make voluntary family planning services available to all persons regardless of age, sex, income level, or marital status. (Source: Zero Population Growth)

5. Maintain a statewide program of education in family planning services and available birth control devices. (Source: Zero Population Growth)
6. Support expansion of higher and continuing educational services and institutions; locate those institutions in support of the population distribution policies. (Source: TCEP)
7. Mandate all State agencies to guide their activities and planning in accord with the established population *policies*. (Source: TCEP)
8. Stabilize the State's resident population at or below a population ceiling of one million residents. (Source: Citizens for Hawaii) Note: This might encourage rapid in-migration. (Source: General Contractors Association)
9. Mandate all State agencies to guide their activities and planning in accord with the established population *ceiling*. (Source: Citizens for Hawaii)
10. Fund and mandate educational programs on the dangers of overpopulation and methods of contraception. (Source: Citizens for Hawaii)
11. Remove restrictions on the sale and advertising of birth control devices. (Source: Zero Population Growth)
12. Amend State income tax laws to abolish deductions for dependent children and seek similar Federal changes. (Source: Citizens for Hawaii)
13. Provide free contraceptive drugs, devices and operations to any resident requesting same. (Source: Citizens for Hawaii)
14. Control the pet population. (Source: citizen comment)

## ECONOMIC ACTIVITIES

1. Consider pollution control as a cost of doing business. Citizens as consumers and taxpayers must expect such costs to be passed on to them. (Source: League of Women Voters)
2. Establish pollution control priorities on a problem basis with the development of performance standards applicable locally (Source: Chamber of Commerce of Hawaii) Note: Effluent, ambient and other pollution control standards should also be developed locally and do not need to be uniform statewide. (Source: Dr. Doak Cox)
3. Establish definite programs to encourage recycling and resource recovery. Consider fees on new or imported cars to finance their ultimate disposal, a ban on drink containers that are not returnable, a mandatory deposit on such containers, separation of household wastes to attract secondary materials dealers. (Source: League of Women Voters)



4. Encourage more re-use and recycling of waste water and solid wastes. (Source: Outdoor Circle)
5. Support diversification of agriculture and the development of export markets. (Source: TCEP)
6. Develop guidelines for the construction industry so as to lessen environmental degradation, including noise during construction. (Source: TCEP)
7. Provide governmental capital improvements programs in support of economic and population goals. (Source: TCEP)
8. Formulate the analytical framework for environmental analysis, to include benefit-cost analysis, forecasting, and reviewing existing economic activities as they affect the State. (Source: TCEP)
9. Re-evaluate all economic goals and policies, particularly in the area of tourism, to insure compatibility with any overall State environmental and land use policies. (Source: TCEP)
10. Share costs of water resources development among the State, local governments and private users on the basis of benefits received and ability to pay. (Source: League of Women Voters)
11. Encourage the expansion of diversified agriculture, the fishing industry, jewelry utilizing black and pink coral and olivine. (Source: Conference on the Year 2000)
12. Attract to Hawaii industries engaged in research and development, also "footloose industries" of a service nature which do not necessarily have to be near a large population center. (Source: Conference on the Year 2000)
13. Encourage the possibility of Hawaii becoming a communication center for the Pacific. (Source: Conference on the Year 2000)
14. Establish a priority system within the State's capital improvement program to develop tourist destination areas in better relationship to the total community and the State. (Source: Travel Industry Congress)
15. Prepare a statewide plan for the visitor industry to:
  - a. Determine optimum size. -
  - b. Prescribe locations of destination areas, size, type, facilities, and schedule of development. (Source: Waikiki Improvement Association)
16. Determine the agricultural levels and industrial activity needed to support an ultimate population of one million residents. (Source: Citizens for Hawaii)
17. Accept the following disposal methods as acceptable options for Hawaii: landfill compacted and covered daily; incineration, pref-

erably with energy recovery; composting; and recycling. (Source: League of Women Voters)

18. Government should share with private industry the responsibility for increasing the demand for recycled materials. (Source: League of Women Voters)
19. Stagger cane burning to keep the air clear. (Source: Pauoa Community Association) Note: This is now being done in cooperation with the State Department of Health.
20. During drought conditions, government should subsidize small ranches to assure the survival of their cattle. (Source: Maui Ranchers Association)
21. There should be a warehouse stocked with Federal surplus grain to be used in time of drought. (Source: Maui Ranchers Association)
22. Insure that all possible environmental effects are considered as early as possible in the planning process for development activities and definitely before funds are expended and plans finalized. (Source: American Lung Association)
23. Discourage foreign investment in Hawaiian real properties. (Source: Citizen comment)

## LAND USE

1. Promote and encourage the rehabilitation and utilization of urban areas which are serviced by basic community facilities and utilities. (Source: Hawaii County General Plan)
2. Establish Land Zoning Banks from which land use zoning may be allocated to specified urban centers and districts. (Source: Hawaii County General Plan)
3. Establish a Land Bank for purchase of land with public funds for low cost housing and to make authentic "new towns" possible. (Source: Overview report)
4. Require the donation of land in development tracts to public ownership for public open space. (Source: Travel Industry Congress) Note: Now required by Act 140/1970 but not fully implemented as of this date.
5. Issue incremental approval for zoning based on performance in accord with submitted plans. (Source: Travel Industry Congress)
6. Find means for quicker action than now exist to plan and protect monuments such as Diamond Head, areas like the Civic Center, and natural landmarks such as Salt Lake. (Source: Save Diamond Head Association)
7. Make available for public use Federal lands in Hawaii not needed to implement national policies. (Source: Chamber of Commerce of Hawaii)

8. Encourage public and private landowners to join together in co-operative planning efforts that effectively subordinate property boundaries to the greater interest of coordinated regional land use patterns. (Source: Conference on the Year 2000)
9. Use property assessment and land taxes as effective tools for encouraging desired practices and discouraging those land activities considered detrimental to the general interest. (Source: Conference on the Year 2000)
10. Pool private and public lands together with offshore waters and air rights into the custody of a central trust in order to manage environmental quality. (Source: Conference on the Year 2000)
11. Affirm that the public interest in land use can be maintained in spite of individual or political pressures to the contrary. The public interest shall be delineated clearly by means defined in policies specifically directed to land use. (Source: Chamber of Commerce of Hawaii)
12. Make agriculturally productive land and potentially productive land available to qualified farmers and organizations on a tenure basis which permits effective capitalization and economic utilization. (Source: State report, "Opportunities for Hawaiian Agriculture")
13. Subsidize agricultural water development without the requirement that such funds be fully repaid, but that reasonable charges be made to water users to defray operational, maintenance and other costs. (Source: State report, "Opportunities for Hawaiian Agriculture")
14. Continue to grant preferential treatment to agricultural lands. Zoning shall protect and maintain agricultural lands from urban encroachment. Use agricultural lands as one form of open space or green belt. (Source: Hawaii County General Plan)
15. Legislatively confirm all implied easements which constitute rights-of-way to mountain and shoreline areas; and confirm public ownership of all beaches in the State to the line of vegetation. (Source: Overview report)
16. Guarantee access by easement to mauka ridge and valley trails through new and existing subdivisions. Guarantee the public's access under similar circumstances to shoreline areas. (Source: Overview report) Note: Public access to shoreline and mountain areas is now required when land is subdivided by Act 143/1973.
17. For open space and recreation sites, public acquisition in fee simple may not always be necessary to assure public use. The following should be considered:
  - a. improved zoning regulations,
  - b. compensable regulations,
  - c. fee acquisition with resale subject to conditions,
  - d. delayed purchase with resale subject to conditions,
  - e. acquisition of development rights,
  - f. acquisition of air rights and view corridors.
 (Source: Chamber of Commerce of Hawaii)
18. Outright purchase should be used for preserving open space, where possible, but purchase of easement and air rights should also be studied. (Source: Citizens for Hawaii)
19. Encourage housing rehabilitation and increased population densities in urban areas where existing public facilities are under-utilized and can readily support additional population. (Source: Department of Education)
20. Initiate development codes to require resort developers to provide housing and community facilities for their employees where needed. (Source: Travel Industry Congress)
21. Overhaul tax laws that penalize open space and low density. (Source: Chamber of Commerce of Hawaii)
22. Use tax policy to curb speculative activity around resort areas. For example, give tax relief to owners who will dedicate their land to present use and agree not to improve properties to higher density. (Source: State report, "Hawaii Tourism Impact Plan," 1972)
23. Tax land on regulated use rather than highest and best use. (Source: Overview report)
24. Prepare, or update as appropriate, State and county general plans which are coordinated and support the goals and policies on land use. (Source: TCEP)
25. Have the composition of the Land Use Commission reflect the fact that over 80 percent of the State's population is on Oahu. Have a majority of members from Oahu with each Neighbor county represented by its planning director and one local citizen. (Source: Oahu Development Conference)
26. Prepare county general plans that will conform with State plans and policies and which detail how existing and proposed urban areas should be developed. (Source: TCEP)
27. Make changes in State land use district boundaries and county zoning which conform to and implement adopted State and county general plans. (Source: TCEP)
28. Restructure urban land use patterns in *appropriate* neighborhoods so they become more dense and more compact than at present, yet surrounded and interspersed with parks and open space. (Source: TCEP)

29. Restructure urban land use patterns with *each* neighborhood more dense and more compact than at present, yet surrounded and interspersed with parks and open space. (Source: Conference on the Year 2000)
30. Establish an extensive, aggressive beach park acquisition program now. (Source: TCEP)
31. Establish a substantial fund for an extensive and aggressive beach park acquisition program now. (Source: Outdoor Circle)
32. Establish certain lands as State Treasures to be administered by the State. Include scenic lands whose aesthetic values should be considered in environmental impact statements. (Source: Senator Kenneth Brown)
33. Implement the Hawaii Coastal Zone Management Act of 1973 (Act 164/1973) (Source: TCEP)
34. Implement the Federal Coastal Management Act of 1972 by devoting the shoreline primarily to parks and open space readily accessible to the public; keeping coastal waters and reefs free of commercial exploitation that would significantly pollute or impair the marine environment; preserving historic sites, fishponds, wildlife habitats, and areas important to ecological studies along the shore. (Source: The Outdoor Circle)
35. Create Time Zoning to assign deadlines to all land uses so that, as technologies, life styles and consequent needs change, obsolete and incompatible uses can be progressively erased and converted to uses more beneficial to the community. (Source: Conference on the Year 2000)
36. Permit both the counties and the State to zone within conservation districts with the condition that the more restrictive zoning shall prevail. (Source: Resolution of the 1972 Hawaii Congress of Planning Officials)
37. Declare a moratorium on further use of agricultural, open, conservation and watershed lands for development into housing. (Source: Sierra Club)
38. Force land already urban-zoned into use before considering petitions to rezone other lands. (Source: League of Women Voters)
39. Resist all efforts to release more State land to fee simple ownership or to break up the big estates, while initiating a program to reacquire ownership of all land in Hawaii in the name of the State. (Source: Conference on the Year 2000)
40. Match the above control with public control of the prices of land under the principle of unjust enrichment, so that public reacquisition of land would not be a hopeless dream. (Source: Conference on the Year 2000)
41. Adopt Overview's Statewide plan of proposed public open areas. (Source: Overview report)
42. The Director of Taxation should sit on the Land Use Commission. (Source: Senator Kenneth Brown)
43. In newly developing areas, developers should contribute open space or cash for the purchase of open space, sufficient at least to satisfy the reasonable needs of the residents of their developments. Local governments should adopt regulations requiring such contributions, preferably in connection with "cluster" provisions. States should authorize and encourage the adoption of these local regulations or should adopt similar state regulations. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
44. Governments at all levels should actively solicit open space donations and should facilitate the work of responsible private organizations, such as the Nature Conservancy, by granting them charitable status for real estate tax purposes. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
45. Mandatory dedication requirements (imposed on developers) can be an equitable and inexpensive way to provide essential urban open space. We believe the requirements should be used even more widely than they already are. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
46. Governments and charitable organizations have a significant opportunity to preserve open space by providing owners with a just and convenient method of donating urbanization rights and then persuading owners to use it. In time, we believe, ownership of open spaces without urbanization rights should become as commonplace as ownership of land without mineral rights. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
47. Incentives are often needed to encourage protection and to back up regulations. Because incentives involve a trade-off offering the landowner something in return for a desired response—care must be taken to assure that public benefits are commensurate with public costs. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
48. Measures that grant partial relief from real estate taxes on farms in urbanizing areas, in force in about half the states, should be re-examined to assure that the public benefit in open space protection warrants the substantial expense reduced taxes entail. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
49. We are persuaded that a mix of techniques, including public acquisition of land and of development rights in strategic land



parcels (those located along highways, directly adjoining urbanized areas, and along waterfronts) but with primary reliance on federally supported, state-administered, non-compensatory regulations appears to present the only realistic hope of achieving the permanent protection of critical open spaces, including buffer zones between urbanized areas. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")

50. To protect public open space against diversion to other public use, states should, at a minimum, provide that (1) alternatives to the diversion of parkland be formulated with full opportunity for public comment; (2) any open space taken be replaced by other open space that will, wherever possible, meet similar public needs; (3) additional procedural protections be established to ensure careful evaluation of proposals by one agency to condemn open space under the jurisdiction of another agency; and (4) methods for determining the value of open space be improved so that any open space may be replaced by land of at least comparable monetary value. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
51. To achieve permanent protection, open spaces should be insulated as completely as possible from the market forces that now inexorably press them into development. One way to accomplish this objective is for owners of open spaces to give up or sell part of their property rights. Another is for local or state governments to regulate development of open spaces, requiring owners to maintain them as they are. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
52. Decisions to construct sewers and to provide other public services should be taken only after careful consideration of whether these decisions will stimulate or discourage the development of designated open spaces. Plans for the location of federally assisted sewers should be consistent with state, regional, and local plans. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
53. Extensive case preparation is necessary to demonstrate the constitutional validity and public benefit of land-use regulations. To facilitate that preparation, the trend toward "environmental divisions" within the offices of state attorneys general and county and municipal attorneys should continue, and attorneys in these divisions are urged to devote a substantial share of their efforts to land-use regulations. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
54. Except for small projects with limited impact, discretionary review should be at the heart of development guidance. (Source:

"The Use of Land: A Citizens' Policy Guide to Urban Growth")

55. For the convenience of all concerned—builders, neighbors, administrators, the general public—a convenient, nondiscretionary mechanism must be provided so that the mass of small projects can proceed without elaborate review—a mechanism resembling today's nondiscretionary building permit. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
56. For power plants and other critical development, project review procedures should be modified so that disapproval of one development proposal must be accompanied, in the same proceeding, by approval of an alternative (or abandonment of the project if need cannot be satisfactorily demonstrated). A much more thorough planning process is needed for this purpose as well as review agencies with larger geographical jurisdictions. Passage of the proposed power plant siting legislation would be an important step toward fulfilling this need. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
57. Every element of the regulatory process, including deliberations, advisory recommendations, and final decisions, should take place at advertised meetings open to the public. Local and state laws should establish open meeting requirements for all governmental agencies responsible for land-use regulations. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
58. To reduce the reality or appearance of conflicts of interest, state and local laws should disqualify local and state officials from voting or otherwise participating in any regulatory decision whose outcome could confer financial benefit, or could appear to the public to confer financial benefit, to themselves, their families, or their business or professional associates. All persons having any responsibility for land-use regulations, including elected and appointed officials and employees, should also be required by law to make periodic public disclosure of their financial interests and real estate holdings within the jurisdiction over which they exercise responsibility. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
59. Just as state governments are intervening to provide more protection in some areas, so must they intervene for more development, particularly the sort that local governments often exclude. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
60. State legislation should deprive local governments of the power to establish minimum-floor-area requirements for dwellings in excess of a statewide minimum established by statute. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
61. The small scale of most development remains a major obstacle to



quality development. Although an increase in scale does not guarantee higher quality, it significantly increases the developer's opportunity to achieve quality. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")

62. To promote large-scale development, communities should adopt planned unit development (PUD) regulations that permit flexibility in project design, subject to overall design review. The community, as well as the developer, should have the power to require that significant projects be reviewed under PUD procedures. A part of the review should be patterned after environmental impact statements. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
63. Density bonuses are one way to encourage larger scale development. Even though few localities have yet been willing to grant sizable bonuses, and despite the risks in awarding vastly increased density (and thus vastly increased land value, which raises the risk of corruption), we believe that large density bonuses should be authorized, in appropriate cases and after careful design review, to new communities and other sizable projects. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
64. Much of the excess of lots sales over second-home starts is the result of demand artificially inflated by high-pressure sales practices. Many buyers are encouraged to think of the lots as speculative investments rather than as building sites to someday use and enjoy. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
65. The states should establish governmental entities, comparable to New York's Urban Development Corporation, responsible for assisting and when necessary directly undertaking large-scale projects. These entities should have the full range of powers, including the power to override local land-use regulations, and the power to control the provision of public utilities, when necessary, to overcome the barriers that now prevent most developers from operating at the larger scales that the public interest requires. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
66. The development process should, insofar as possible, be shaped by planning and regulatory bodies, lenders, accountants, appraisers, and other participants so that developers, homebuyers, and other consumers come to perceive the maintenance and enhancement of quality as the key to profitability. Divergence between quality and profitability should be minimized. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
67. The overall goal should be to encourage the creation of livable,

enjoyable and ecologically sound recreation communities and to prevent lot sales where such communities seem unlikely to come into being. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")

68. Local governments should establish subdivision requirements sufficient to assure that all subdivisions, whether for first or second homes, will attain acceptable development standards. Adequate public facilities, including water supply and sewage disposal facilities (installed or bonded) should be required as a condition of subdivision approval. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
69. To reduce opportunities for high-pressure salesmanship, the federal and state laws requiring full disclosure of lot sales information to protect lot buyers should be amended to give buyers in lots (in projects governed by the acts) a non-waivable cooling-off period of 30 days instead of the present 48 hours. The cooling-off period should be granted to all buyers including those who have seen the land before they buy. The acts should also be amended so that projects containing more than 50 lots are covered, irrespective of the acreage contained in each lot. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
70. For the inexperienced buyers likely to be purchasing unimproved lots, the protection afforded by disclosure requirements is insufficient. We believe that a warranty is needed as well. Federal and state legislation should obligate the sellers of lots (in projects containing 50 or more lots) to guarantee to each buyer that his lot will, for one year after the date on which the contract obligates the seller to complete all improvements, to fit for construction of a dwelling. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
71. Base land use planning on an inventory of natural resources and potential land uses. (Source: Society of American Foresters)
72. Place the two major functions now assigned to the Department of Planning and Economic Development into two separate departments, emphasizing the new State Planning Department as the agency responsible for comprehensive planning in staff relationship to the Governor. (Source: American Institute of Planners, Hawaii Chapter)

## TRANSPORTATION

1. Establish a formal procedure—supported by a written memorandum of understanding—between the Governor and the Mayors of the respective counties for carrying out continuing, comprehensive, cooperative transportation planning processes in a manner

- that will insure that the planning decisions are reflective of and responsive to both the programs of the State and the environmental needs and desires of the counties and communities. (Source: State Department of Transportation)
2. Adhere to a development process which will assure consideration of social, economic, and environmental factors and impacts in the planning, location, and design of transportation facilities, in terms of State Department of Transportation "Action Plan" for highways. (Source: Federal and State Departments of Transportation)
  3. Reduce excess fuel consumption and pollution emissions by work-hour staggering, car pooling and increased use of mass transit. (Source: State Department of Transportation)
  4. Use revenues from the State fuel tax to fund vehicle emission inspection and maintenance programs. (Source: Interdepartmental Transportation Control Commission)
  5. Seek land use designations that reduce the need for mobility. (Source: Interdepartmental Transportation Control Commission)
  6. Encourage less travel at peak hours, and more peak-hour service by public carriers. (Source: Interdepartmental Transportation Control Commission)
  7. Use the amendment to the Federal Interstate Highway Act of 1956 to permit Hawaii to use Highway Trust Fund monies on modes of transportation which will give the State a balanced and environmentally superior transportation system. (Source: Overview report)
  8. Coordinate planning of Federal, State, and County street systems to meet other environmental policy goals. (Source: Hawaii County General Plan)
  9. Establish special scenic routes within and between communities. (Source: Hawaii County General Plan)
  10. Develop a statewide bikeway system. (Source: TCEP)
  11. Create a bikeway system to serve major inland parks and join beach parks in island-round bikeways. (Source: The Outdoor Circle)
  12. Eliminate the future necessity for the individually owned automobile whenever possible. (Source: Conference on the Year 2000)
  13. Designate a portion of any increases in taxes or fees on automobiles for maintenance and beautification of our highways. (Source: The Outdoor Circle)
  14. Acquire sufficient rights-of-way along highways to provide scenic pull-offs, picnic and litter-drop areas. Undertake such a program now before development patterns make change costly or impossible. (Source: The Outdoor Circle)
  15. Seek strict Federal controls on exhaust and noise pollutants from aircraft. (Source: Travel Industry Congress)
  16. Improve inter-island transportation of people, supplies, and products. (Source: Department of Agriculture)
  17. Develop a network of fast, convenient and *low-fare* public transportation service connecting all neighborhoods. (Source: TCEP)
  18. Develop a network of fast, convenient and *free* public transportation service connecting all neighborhoods. (Source: TCEP)
  19. Require that transportation vehicles as well as the location and design of transportation facilities adhere to accepted noise standards and air quality criteria. (Source: TCEP)
  20. Require noise abatement of transportation vehicles. (Source: State Department of Transportation)
  21. Establish environmentally controlled highways and utility corridors which use good design features and environmental standards to minimize environmental impact. (Source: Utilities Environmental Task Force)
  22. Recommend that the Legislature consider developing a formula for cost-sharing environmental betterments of new utility installations along State highways. (Source: Utilities Environmental Task Force)
  23. Recommend that the Legislature consider authorizing the State Highway Special Fund to pay for the additional costs of environmental betterments of utility installations incident to relocations required by highway improvements. (Source: Utilities Environmental Task Force)
  24. Landscape transportation corridors and integrate them in design with park-like open spaces separating neighborhoods. (Source: Conference on the Year 2000)
  25. Prohibit hydrofoil and high speed boats outside of existing shipping lanes for all islands. (Source: Save Our Surf)
  26. Seek strict Federal controls on exhaust and noise pollutants from aircraft. Some have already been enacted or proposed. (Source: Citizens Against Noise)
  27. Include water vehicles in noise abatement regulations for vehicles. (Source: Citizens Against Noise)
  28. Control the number of transportation units, including private automobiles, as required to meet energy conservation and other environmental goals. (Source: Sierra Club)
  29. Encourage the use of bicycles, mass transit, and other alternatives to the private automobile. (Alternatively, favor the use of transportation modes which minimize the per person consumption of

- energy, land, and other resources) (Source: Sierra Club)
30. Restrict the increase in numbers of private automobiles. (Source: Citizen comment)
  31. Accelerate the development of rapid transit on Oahu. (Source: Citizen comment)
  32. In the interest of preservation of open space, prevention of increased air pollution and economics of people-moving, stop planning and development of new highways through new corridors. (Source: Citizen comment)

## COMMUNITY ENVIRONMENTS

1. Where appropriate, correct urban blight through conservation, urban renewal and urban redevelopment programs. (Source: TCEP)
2. Preserve desirable existing structures and facilities through application and enforcement of modern housing codes and other regulatory means. (Source: TCEP)
3. Regulate development of new structures and facilities by updated State and local codes and ordinances. (Source: TCEP)
4. Redevelop and improve the aesthetic and architectural appearance of blighted residential, commercial, industrial, and institutional structures and their surrounding areas. (Source: Department of Budget and Finance)
5. Provide appropriate landscaping for all public rights-of-way, malls, public buildings, parks, open spaces, and commercial areas. (Source: TCEP)
6. Create urban patterns which provide a sense of identity to distinct urban areas; this can be done by providing significant open spaces between them, by the appropriate location of major transportation arteries, by unique street furniture design, and other means. (Source: TCEP)
7. Use the "urban growth" unit or "neighborhood" unit\* as the building block in communities so as to provide shopping, educational, employment, and recreational facilities within walking distance, to discourage auto travel and noise pollution. (Source: National A.I.A. Report on Urban Growth)
8. Provide a wide choice of housing opportunities in various density types which have quality design and are in harmony with the topography. (Source: TCEP)
9. Design residential units to help reduce the possibility of crime. (Source: TCEP)
10. Design urban communities to separate traffic from pedestrians; provide footpaths and bikeways; provide easy access to public transit. Through design, help reduce possibilities for crime and violence. (Source: TCEP)
11. Establish design review boards in all counties for scenic, historic and cultural districts as technical review committees of public and private construction. (Source: TCEP)
12. Finance a landscaping program in the same way a minor portion of public building construction money now is used for art. (Source: Botanical Society)
13. Include tree-planting standards in all urban design standards. (Source: The Outdoor Circle)
14. Include a landscape architect on all public works design teams. (Source: The Outdoor Circle)
15. Use landscaping as a noise control factor on highways and tree planting for climatic control in urban areas. (Source: Chamber of Commerce of Hawaii)
16. Prevent further loss of historic and/or unusual and beautiful trees. (Source: The Outdoor Circle)
17. Establish a public program that ultimately all utility lines be placed underground, and a plan of priority areas to remove this visual pollution. (Source: The Outdoor Circle)
18. Set high aesthetic standards for all street furniture which should be suited to the setting in which it is placed. Benches, seats, and tables should be both comfortable and arranged to meet the needs of people rather than be architectural features. (Source: The Outdoor Circle)
19. Minimize the amount of municipal, industrial and agricultural solid wastes to be disposed of and reduce the pollution resulting from disposed wastes to acceptable levels. (Source: Department of Health)
20. Reduce smoke, particulate matter, and noxious gas pollution to acceptable levels. (Source: Department of Health)
21. Reduce ambient non-intentional ionizing and non-ionizing radiation exposure to organisms to acceptable levels. (Source: Department of Health)

\*An urban growth unit or neighborhood unit does not have fixed dimensions. Its size in residential terms normally would range from about 1,000 to 3,000 dwelling units—enough in any case to require an elementary school, day care-community center, convenience shopping, open space, and recreation.



22. Reduce the amount and intensity of noise to acceptable levels. (Source: Department of Health)
23. Require competitive architectural entries for all significant public projects. (Source: TCEP)
24. Establish view plan regulations to preserve views of scenic or prominent landscapes from specific locations. (Source: Hawaii County General Plan)
25. Apply special height, density, site plan controls and other design elements to shoreline developments. (Source: The Outdoor Circle)
26. Specify the use of native plants in future plantings of State facilities and in re-landscaping by the State. (Source: Bishop Museum)
27. Consider creating a different image for each island. (Source: Travel Industry Congress)
28. Proceed systematically to find out what the full implications of Women's Liberation are for community physical and social planning. (Conference on the Year 2000)
29. Landscape with native plants provided by State nurseries. (Source: Botanical Society)
30. Limit shoreline buildings to four stories. Permit high rise buildings against high mountain backgrounds. (Source: Soil Conservation Society)
31. To make existing housing available at affordable prices and rents, consider housing price control mechanisms for resale and a heavy capital gains tax. (Source: Citizens for Hawaii)
32. To provide adequate housing which provides freedom from noise to the extent reasonably possible... The building code should provide at least the performance standards FHA requires in terms of site protections against noise and of noise in sleeping quarters, living quarters, etc. Some sites should not be built on at all unless the building has sound control designed in. (Source: Citizens Against Noise)
33. Require that the program of vehicular noise control cover muffler control as one of the items in the annual safety inspection. (Source: Citizens Against Noise)
34. Ban non-returnable beverage containers and require substantial deposit on returnables. (Source: Various citizen comments)
35. Revisions to existing federal housing assistance programs, particularly those introduced by the Housing Act of 1968, should concentrate on a restructuring of incentives to encourage private investors to take a long-term interest in their investments. Expanding the options of assisted persons through housing allowances should be considered in designing new housing programs.

(Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")

36. Adopt policies which assume that housing is a social need rather than a speculative commodity. (Source: Conservation Council)
37. Environmental assessment should include more consideration for social, cultural and psychological impacts than is currently done in Environmental Impact Statement writing. What is needed is environmental planning for each district against which to judge an EIS. (Source: Leonard Moffitt)

## THE INDIVIDUAL

1. Develop environmental education programs. (Source: TCEP)
  - 1a. Establish public information centers at all public libraries. All public boards, commissions, committees, councils, or legislatures shall provide their agenda to such public information centers at least 30 days in advance. Minutes of all meetings of such boards, commissions, etc. shall be made available at all public information centers within 48 hours.
  - 1b. Drafts of all current environmental impact statements shall be available at all public information centers.
  - 1c. Fund and staff all public libraries to provide full service until 9 p.m. six nights a week. (Source: William Matthews)
2. Use the mass media for dissemination of environmental education programs. (Source: TCEP)
3. Encourage governments, civic and private organizations to sponsor environmental education activities. (Source: TCEP)
4. Undertake and fund a public information program to inform the general public about problems and policies relating to quality growth, environmental and land use planning, and population stabilization. Undertake extensive educational programs to underscore the fact that man is part of the ecosystem and not separate from it. (Source: Hawaii Association of Counties)
5. Make factual information concerning environmental quality available to the public, including information relating to problems, costs and implications of various alternative solutions. (Source: Chamber of Commerce of Hawaii)
6. Establish a Hawaii Center for Environmental Education to work with public and private schools and colleges as well as with community organizations, individuals and the media. (Source: Citizens Committee for Environmental Education)
7. Plan and build two pilot environmental education centers on Oahu, one in Sand Island State Park centered on the ocean and coastal zone, one at Makiki Valley State Park to center on moun-



- tain environment and water resources. (Source: The Outdoor Circle)
8. Establish an education-ranger program within the Department of Land and Natural Resources. (Source: The Outdoor Circle)
  9. Increase the opportunities for citizen participation in hearings and on decision-making bodies and for easier access to the courts. (Source: League of Women Voters)
  10. Establish environmental education programs in all public schools. (Source: TCEP)
  11. Require the Department of Planning and Economic Development to prepare an environmental impact statement of the effects of tourism in Hawaii, including the social and economic impact. (Source: TCEP)
  12. Require public and private sectors to use the public notice, public hearing, and public participation procedures of Chapter 91, Hawaii Revised Statutes (Administrative Procedures Act) for activities which affect individuals in the State. (Source: Department of Social Services and Housing)
  13. Establish major educational programs in all State schools on shoreline ecology and marine resources. (Source: Save Our Surf)
  14. Recognize the new right of citizen groups to defend natural resources, scenic beauty and historical value areas threatened with drastic alteration. (Source: Soil Conservation Society)
  15. Enact legislation which generally authorizes citizens to file suit in order to preserve environmental values and enforce strong pollution standards. (Source: Overview report)
  16. If a special tax is levied on tourists or the tourism industry, a major portion of the funds should be earmarked for environmental

- improvement and management. (Source: Department of Social Services and Housing)
17. Require a minimum of 51 percent local control of land and capital. (Source: Department of Social Services and Housing)
  18. The vastness of the work ahead does not mean we should leave it to the experts. We believe that civic organizations can make an important contribution to the quality of life in their areas by helping to decide what should be protected and preserved in their localities and how and where essential development needs are to be met and by helping assess systematically the adequacy of local plans, laws, regulations, and procedures affecting urban growth. The 1976 bicentennial year would be an appropriate time to complete the first phase of such an assessment. We urge that federal assistance be made available for these citizen efforts as part of the bicentennial program. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  19. Local officials and citizens should periodically try to identify aspects of local procedures that may give rise to citizen mistrust. Insofar as practical, measures that cause mistrust, whether or not the resulting suspicions are in fact warranted, should be changed. (Source: "The Use of Land: A Citizens' Policy Guide to Urban Growth")
  20. Free hearing tests should be made as available to the general public as the free chest X-rays. (Source: Citizens Against Noise)
  21. Facilitate full disclosure of all information on public business. (Source: William Matthews)

